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NATIVE AMERICANS IN LAND MANAGEMENT PLANNING

A Report Prepared for
USDA, Forest Service
Intermountain Region

by
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ABSTRACT

Native Americans maintain a unique relationship with the land. Cultural and spiritual practice, accessibility and utilization of the land is not understood by other social groups, including the Forest Service.

The National Forest Management Act of 1976, and the President's Federal Indian Policy of January 1983, specify by law that Native Americans are involved in a government to government relationship with the USDA, Forest Service.

As a part of developing the Intermountain Region's Forest Plan Revision procedural instruction and policy guidance, a need was identified to ensure all Indian tribes in the Intermountain Region are appropriately identified, informed and involved in the revision process.

To better understand native people and their way of life, this research project entitled Native Americans in Land Management Planning provides Indian tribal leadership structure, communication procedure, interest and values, and recommendations to help the Forest Service interact with Indian Tribes in the Intermountain Region

INTRODUCTION

Native Americans have a unique legal relationship with the United States through treaties, statutes, court decisions and the U.S. Constitution. Treaties and Executive Orders stipulate that tribal governments maintain considerable powers separate from state and local governments. The policy of the United States Government is to protect indigenous lands, government, resources and traditional use through the 600 treaties that have been established by law. Treaties, "the Supreme law of the land", between American Indians and the Federal Government is the foundation of present day government-to-government relationships. As a result, Indian governments exercise tribal rights and continue the struggle of sovereignty over Indian lands and ceded (to the U.S. Government by treaty) lands. Many of the National Forests are within areas of ceded lands and tribes are asserting claim to these lands. Topography is distinct in representing enormous forest lands and comparatively restricted reservation lands.

The Native American agenda not only involves forest lands but rights upon them. Traditional use of the land, without boundaries, is the "life" of the Indian. Ancestral use of the land that gave herbs for healing, plants for food, hunting and fishing for subsistence and material for shelter continues today. Misconceptions and misinformations have historically contributed to adversarial relationships between Native American and other governments. Public law 93-638, the Self-Determination and Educational Assistance Act, encourages Indian tribes to develop a working relationship with all federal agencies regarding Indian interests and rights.

In January 1983, the President issued a Federal Indian Policy which was reaffirmed by President Bush in September 1989. The United States Departments of the Interior and Agriculture entered into an agreement that supports the Federal Indian Policy. The emphasis is to develop a mutual partnership with Native American tribes. The Forest Service's policy is:

"1. Maintain a Governmental relationship with Federally recognized Tribal Governments. Take the time to meet with tribal governments on a regular basis. Build and enhance a mutual partnership. Gain an understanding of each other to develop an effective governmental relationship."

"2. Implement our programs and activities honoring Indian Treaty Rights and fulfill legally mandated trust responsibilities to the extent that they are determined applicable to National Forest System lands. Visit our tribal neighbors. Learn about their treaties and rights. Talk with them about areas of mutual interest. Reconcile Indian needs and claims with the principles of good management, multiple use, and National Forest laws and policies. Attempt reasonable accommodation without compromising the legal positions of either the Indians or the Federal Government. Work together to develop ways to accomplish the goals of this policy."

"3. Administer programs and activities to address and be sensitive to traditional Native religious beliefs and practices. Walk the land with Native Americans to gain an understanding and appreciation of their culture, religion, beliefs, and practices. We must identify and acknowledge these cultural needs in our activities. We consider these value an important part of management of the National Forests."

"4. Provide research, transfer of technology, and technical assistance to Indian Governments. Together, develop research and environmental programs to meet Native Americans' objectives. Extend State and Private programs to tribal governments. Exchange and share technical staffs and skills." (FSM 1563)

PURPOSE OF PROJECT

The purpose of this research project is to identify Indian tribes in the Intermountain Region; their perspective of relations with the Forest Service; and their view of forest land management. A working relationship between two social groups cannot exist until knowledge of political, economical, social and cultural features are learned. Good relations result from understanding and respecting differences through the equal exchange and sharing of ideas for the growth and prosperity of both groups. The implementation of government programs to fulfill ethical and legal responsibilities of Native Americans must acknowledge the sensitivity and deep feelings they maintain toward the land. This report will specify methods of communication and interaction for working with tribal governments toward establishing shared land management objectives.

METHODOLOGY/ APPROACH

To better understand the scope of my topic and the implications of my findings, I reviewed literature concerning Native Americans. I reviewed those portions of the Forest Service Manual devoted to Native American policies.

To identify Native American Tribes adjacent and/or within the area of influence for National Forests in the Intermountain Region, I reviewed Bureau of Land Management Base Maps and U.S. Geological Topographic Maps from the Forest Service's Engineering Staff, Intermountain Regional Office, Ogden, Utah, and Federal Tribal Lands Map, Bureau of Indian Affairs, Phoenix Area Agency Office, Phoenix, Arizona.

To determine which treaties bear direct relationships on National Forest System lands, I reviewed "Indian Affairs Law And Treaties", by Charles Kappler, Clerk To The Senate Committee On Indian Affairs, 1904 Washington Government Printing Office, and visited with several of the tribes.

To identify Tribal Government structure, contacts, and communication procedures regarding issues relating to the Forest Service, the relationship between the Tribes and the Forest Service, and the level of involvement regarding Forest Service management, I interviewed several professionals in the area exposed to Indian issues (see Appendix 1-A). In addition, I visited several tribal meetings. See Appendix 2 for a sample tribal interview questionnaire.

To identify current names, addresses, and phone numbers of appropriate contacts, I worked with the Bureau of Indian Affairs Area Office Directory, Bureau of Indian Affairs Area Agency Office, Phoenix, Arizona.

DISCUSSION

Cultural, spiritual practices, accessibility and utilization of the land by Native American people is not understood by other social groups, including the Forest Service. This research project was initiated to better understand native people, their tribal structure and organization, their way of life, and their needs from the land.

Set your personal beliefs aside, listen and respect their private perspective of "who they are and where their existence began". Native Americans firmly believe they are the original peoples of the Western continent prior to European encroachment. American Indians and Alaskan Natives are referred to as Native Americans. There are Native Americans residing in every state in the nation, but most live west of the Mississippi. At present, there are 53 million acres of Indian lands in the United States. It is important to note that for thousands of years the original people of the North American continent considered each tribe a separate sovereign entity and race.

When the European settlers arrived on this continent, long before the establishment of the United States government, native people were faced with the problem of how these new immigrants would deal with the native inhabitants of the land. The laws of requisition were different for each native tribe either through conquest or assimilation into other Indian groups. Only the voluntary consent of Indians could justify the taking of Indian lands. Thus, Indians were recognized as the legitimate owners of the land and entities capable of dealing with the European nations by treaty. Important rights were guaranteed to the Indian tribes of this country by treaty and many of these rights continue to be enforceable today. Indian treaty making has ended, but it would be a gross error to conclude that treaties are purely of historical interest. Beneficial rights secured to the tribes by treaty today include ownership of Indian lands, hunting and fishing rights, gathering of sacred herbs and other foods and materials for traditional utilization, and entitlement to certain federal services.

The Native American policy issued in 1983 reaffirms regulatory institutions assume assertive responsibility of partnership with the Native American communities.

In the Intermountain Region, the Forest Service recognizes its obligation to develop a working government-to-government relationship with Indian Tribes in the Intermountain Region. This report identifies Native American groups who have an interest and stake in National Forest management plans in the Intermountain Region, their Tribal government structure, and treaties affecting the Forest Service, and discusses the present relationship between tribal governments and the Intermountain Region and the level of involvement.

Native American Tribes Adjacent And/Or Within The Area Of Influence

There are nine tribes adjacent to National Forest lands, and twelve tribes within the "area of influence" of National Forest lands. However, this is not inclusive of all tribes identified in the Intermountain Region. There are 35 different tribes, colonies and bands in the Region. It is important to understand that although there may be similarities among tribes, each maintains

separate identity through name and language. For example, the Western Shoshone, Eastern Shoshone, and Northern Shoshone maintain similar customs, beliefs and traditions. However, each maintain individual tribal governments and structure. Successful interaction means the Forest Service needs to be familiar with and maintain an understanding of each tribe's identification and unique character prior. To interact without this knowledge is to ignore the Forest Service's responsibility to carry out the formal government to government relationship.

To appreciate the size and vastness of reservation lands, it helps to obtain the "Indian Land Areas" map available from the Phoenix Area Office, 1 North First Street, P.O. Box 10, Phoenix, Arizona 85011, or the "Indian Lands" map available through the USFS, Office of Planning and Budget, Regional Office, Ogden, Utah.

Tribal Government Structure, Contacts, And Communication Procedures

Each Tribal government is unique with its own government structure. Demography plays a vital role in the structure of tribal government. For example, the Goshute Tribe on the Skull Valley Indian Reservation only deal with the public through an attorney. This is because of the total enrollment of the Tribe, their geographic location and past government relations. On the other hand, the Fort Washakie Indian Reservation, which is the home of the Shoshone-Arapahoe Tribe maintains government relations through a twelve member Joint Business Council. Six members are elected from the Shoshone Tribe and six members from the Arapahoe Tribe.

Treaties establish the basis for how tribes govern and protect reservation rights and privileges. Each governing body legislates laws through resolutions and ordinances. Tribal governments maintain the power to enter into agreements, memoranda of understanding and compacts with state, federal and local governments. Each tribe differs in its approach to administering economic, social and political projects on the reservation. Therefore, geography and demography play a vital role in the organization and structure of tribal units. See Appendix 3 for an in-depth discussion of government structure, contacts and communication for tribes adjacent to National Forest System lands in the Intermountain Region.

Treaties & Laws Bearing Direct Relationship Between Tribes And The Forest Service, Intermountain Region

Treaties are the basic foundation of Indian and Federal Government relationship as it exists in present time. Important rights were promised to Indian tribes of this country by treaty, and many of these rights continue to be enforceable today.

In 1778, the United States government entered into its first treaty with the Delaware Tribe. Since that time over 600 treaties and agreements were made with Indian tribes and the government. In the beginning, the treaties were designed to ensure peaceful relations between tribes and white settlers. However, they became a means of securing and transferring land ownership from the tribes to the United States government. Treatymaking was a feasible method by which a foothold could be gained without alarming the Indian tribes. Treaty making brought an air of legitimacy to the European immigrants and became the

basis for defining both the legal and political relationships between the Indians and European settlers. Treaties establish the negotiated basis for relations between the two government entities. American Indians witnessed treaties as a promise of rights to Indians. The reciprocal agreement established and guaranteed integrity and power. Today, tribes continue to exercise their inherent right to utilize the land of their ancestors.

Three treaties that bear direct relationship on National Forest System lands in the Intermountain Region were identified:

* Fort Bridger Treaty of 1868 - Eastern Shoshone-Bannock Tribes and Shoshone Tribe (Appendix 8-A): The Fort Bridger Treaty signed on July 3, 1868 at Fort Bridger, Utah was a treaty between the Eastern Band Shoshone and Bannock Indian Nation, and undersigned commissioners on behalf of the United States.

Article 4 of the Fort Bridger Treaty states: "The Indians herein named agree, when the agency-house and other buildings shall be constructed on their reservations named, they will make said reservations their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right to hunt on the unoccupied land of the United States so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts."

Further, this treaty guarantees perpetual "use rights" to off-reservation lands which includes National Forest System lands. The Shoshone-Bannock Tribe, by virtue of the Fort Bridger Treaty maintain exclusive rights to hunt, fish, and gather natural resources for ceremonial and subsistence purposes "on the unoccupied land of the United States," including forest land.

The Tribes are concerned about how the Forest Service acknowledges treaty rights during the revision of Forest Plans. They feel the forest plan revision process provides an opportunity to interact during the development of plan, objectives, and actions. The Forest Service needs to consult tribal leaders at the beginning of the revision process.

* 1863 Treaty of Ruby Valley-Western Shoshone Nation (Appendix 8-B): The Treaty of Ruby Valley signed on October 1, 1863, is the only accord between the United States Government and the Western Shoshone Nation to be ratified by Congress. Several Shoshone tribal members interviewed stated that "the treaty has done nothing except cause our people to fight among each other." Today, arguments between traditional elders and the young Shoshone generation continue. It has divided families instead of joining them.

The conflict is a result of the United States Government's $65 million final land settlement which is being held in U.S. Treasury Trust. The traditional elders firmly state that "the land is not for sale." Yet, the younger adults feel there is no shame in accepting the money to help the Tribe prosper.

In 1984, the Western Shoshone National Council, a nonprofit organization of traditional elders and tribal leaders was formed. The council was "to foster and promote the establishment of a formal Western Shoshone National Government exercising the full scope of governmental sovereignty, powers and jurisdiction

available to the Western Shoshone Nation." The National Council selects a tribal representative from each tribal government within the Western Shoshone Indian Reservation. Although tribal governments from each reservation acknowledge their efforts to bring attention to Western Shoshone political and economic needs, the U.S. Government does not recognize the Council as a government. However, the Council has become assertive and undertaken administrative functions of a separate sovereign entity. The National Council members along with the individual tribal governments continue to challenge their rightful ownership of Indian lands through historical treaty rights.

The Shoshone-Paiute tribal members feel that much of the conflict is due to bad relations in the past, and no current, ongoing interaction with the Forest Service and other federal regulating agencies. Tribal leaders feel that better communication between the two groups would lessen the hostility and, at the same time, help their community grow.

The Western Shoshone lands are extensive and even though tribal governments may differ between tribes geographically there is a comprehensive identity with all their Shoshone neighbors. "We are all in this together," commented a Yomba tribal elder. "Some of us are small in number," stated another Yomba tribal member.

* 1863 Treaty of Tooele Valley-Goshute Tribe (Appendix 8-C): The Treaty of Tooele (Tuilla) Valley was signed on October 12, 1863, between the United States Government and the Shoshone-Goshute Tribe. This treaty was signed 12 days after the Treaty of Ruby Valley. Through treaty rights, the Goshute Tribe maintains the inherent right to hunt and gather freely, but the Forest Service does not permit the Goshute Tribe to utilize the land.

The Tribe is also challenging the court system to reclaim three million acres of unoccupied lands. This is presently in litigation and tribal leaders do not expect a settlement in the near future.

In addition to these three treaties, several laws specific for Native Americans and forest land management were identified:

- President's Federal Indian Policy, January 24,1983: This policy states that the Federal Government will recognize Indian self-government working directly with Indian tribes on a government to government basis.

- USDI/USDA Agreement in Principle, January 13, 1988: This agreement states that both agencies maintain a common objective of promoting the most effective utilization of Indian land.

- American Indian Religious Freedom Act of 1978: This Act provides for the protection and preservation of Indian rights, beliefs and practices by the United States Government. This includes the freedom for Native Americans to freely worship through ceremonial and traditional rites and the right to possess sacred objects.

- National Forest Management Act of 1976: This Act provides for direct consultation and coordination of forest land planning, including Indian tribes.

- The Archaeological Resource Protection Act of 1980: This Act establishes a permit process for the management of cultural sites on Federal lands which provides for consultation with affected Tribal Governments.

Present Relationship Between Tribal Governments And The Intermountain Region

To speak of a "relationship" is to speak of a "mutual" understanding between two entities. The Forest Service needs to demonstrate a sincere desire to interact with tribal nations.

All Indian Tribes interviewed were extremely critical of their relationship with the Forest Service. The Forest Service does not understand the Indian culture and how to interact with the tribes. One Tribe stated "they sent us letters and expect an immediate response. That's not the way we do business." Tribes expressed resentment toward the Federal Government, including the Forest Service, because decisions were made without consultation. "Why bother, if they have already decided what they want to do. We will fight for our rights and our land in court if that's what they want," stated another tribal leader. "That's the way they have always done business and they say we don't have manners," commented a tribal member.

Overall, there is a sincere desire to work on a government-to-government basis, if respect for cultural differences and communication procedures can be improved. Initially, tribal leaders were reluctant to share information, but then appeared more relaxed and willing to share personal perspectives on individual tribal government after I explained my background, and the purpose of the Forest Service research project. Tribes commented on the positive message this research project sends to them. This type of approach to ask them for ways to improve communication establishes a basis for trust, and opening lines of communication.

Current relationships between tribal groups and the Intermountain Region of the Forest Service is discussed in depth in Appendix 3.

Tribal Leaders And Their Level Of Involvement Regarding Forest Resource Management

Native Americans believe that all National Forest lands was once without boundaries, free for all indigenous peoples to practice traditional, cultural and spiritual union with the land. It is a rather simple creed, "take only what you need and protect that which gives life." Government ownership of Indian and adjacent lands has severely limited Native Americans from practicing traditional ways of life. This control over land use is difficult for Indians to accept, and has created resentment and mistrust of government agencies, including the Forest Service.

Tribal leaders interviewed convey thoughts of their ancestors. Those who are "not of the land" cannot understand the distinct closeness of "man and Mother Earth." The elders and tribal leaders are having to adjust and learn to negotiate their expectations with others to meet the increasing human demands for the land. Many are reluctant, but are forced to interact with federal agencies.

Native Americans maintain perpetual existence with the land. There is respect and dignity in identifying this coexistence, she is called "Mother Earth." It is from her that Indians believe started their journey through "life's cycle" and it is to her they will return in the end. This philosophy is the same across the western continent regardless of tribal identity, thus the deep rooted affection for the land. Most groups, including the Forest Service do not understand or are not willing to acknowledge the land ethic of the American Indian.

Native Americans have witnessed land development resulting in permanent damage and destruction of the land they value. It is extremely difficult for Indian tribes, especially the elders, to understand the white man's need for change. At one time it was simply explained as manifest destiny. Today, there is no new land to conquer, however, Native Americans must now deal with a greater force-the United States Government, including the Forest Service.

Forest Service personnel need to take responsibility not only on a government-to-government basis, but also a humanitarian basis, to develop a communication strategy for interacting with Indian Tribes.

Indian Tribes and their level of involvement with the Forest Service, concerns, and recommendations to the Region are discussed more thoroughly on a Tribe-by-Tribe basis in Appendix 3.

RECOMMENDATIONS

(1) The Forest Service has an obligation through treaty rights to consult with federally recognized Indian tribes on a government to government basis prior to public forum. As I learned from my study, the Intermountain Region of the Forest Service has an inconsistent, fragmented approach for working with their Native American neighbors on forest land management projects and activities. Generally, there is a lack of adequate communication and consultation with Federally recognized Indian Tribes. Therefore, I **RECOMMEND** that the Intermountain Region, through its Native American Program Manager, develop and implement an interaction strategy for communicating with Indian Tribes to assure open lines of communication and routine upfront discussion of resource issues and subsequent actions that affect tribal lands and uses. Frequent discussions will help address concerns before problems develop, and ensure treaty rights are considered in the formulation of alternative actions.

(2) Tribal visitation should be regular on both a formal and informal basis, not just during problem confrontations. This topic was mentioned at each tribal interview. More remote tribes were more critical of the Forest Service's behavior. Therefore, I **RECOMMEND** that each Forest's American Indian Program Manager maintain contact with Indian tribal leaders within their community of interest, and meet regularly through formal meetings for information exchange. Further, I **RECOMMEND** that all Indian Tribes in the Intermountain be routinely included on Regional and Forest mailings.

(3) A Forest Service person needs to meet the contact person for each tribe adjacent to Forest Service System lands. This informs tribes of the USFS sincere efforts to practice interaction techniques and open lines of communication. The initial meeting with tribal leaders may not provide all the information you are seeking. You may be asked to return at another time even

though an appointment had been set up prior to the visit. This is not an intent on their part to be rude. They may feel other tribal members should hear your conversation who are not available. Further, The Region and/or Forests should inform affected tribal governments of impending Forest Service policy and contracts prior to actual decision making. Make no assumption about the tribe's level of interest. Written communication without telephone communication follow-up can hinder effective communications. Again, the tribe will not respond until all appropriate individuals have been notified. This is their way of doing business regardless of how the Forest Service does business. Each Forest Office should have an individual working on a one-to-one basis with tribes in their area. This should be informal, and a person the tribes trust. Therefore, I **RECOMMEND** that each Forest designate an American Indian Program Manager. This person should maintain contact with the Tribes and become familiar with their communication style, making it easier to work through. The tribal contact person would also be responsible for informing the Regional Program Manager of impending problems.

(4) Continuous contact and interaction should result in relationships based on understanding and trust. Continuity in dealing with the tribes will foster trust, and ensure the Intermountain Indian communities that the Forest Service is working hard to acknowledge them as neighbors and as government entities. Therefore, I **RECOMMEND** that an Interagency Coordinating Committee be established. Through an ICC, consultation and coordination with Indian Tribes in the Intermountain Region would occur on a routine basis, facilitating planning prior to development and decision making regarding Indian lands. The interagency committee should include Intermountain Indian tribal members, Forest Service personnel at all levels, and representatives from other Federal agencies in the Intermountain Region.

(5) Because spiritual practice is not part of the tribal government structure, the Forest Service should also be communicating with spiritual leaders . This is a sensitive area and must be approached cautiously--by someone familiar with the Indian spiritual ways to avoid creating embarrassing situations. It was unfortunate that this area could not be researched fully because of the timeframe involved in completing the project. Consultation with tribal leaders, spiritual leaders and traditional practitioners is important and must be done, especially with individual tribal groups. Therefore, I **RECOMMEND** that the Region identify and meet with the spiritual leaders on an informal basis and the Forest's Native American Program Manager have continuous contact with the tribe to identify tribal, spiritual and traditional needs when formulating actions to be taken on National Forest System lands.

(6) Through my interviews, I sensed that both the Tribes and Forest personnel felt there was no one in the Regional Office they could talk to about Native American concerns, problems, etc. Therefore, I **RECOMMEND** that the Intermountain Region establish a position to coordinate forest and tribal consultation and act as liaison to protect, accommodate and coordinate a mission of shared ideas, beliefs and challenges that ensure the survival of the native people and the land. This individual should be Native American as sensitivity, confidentiality of sacred sites, and an understanding of native people is a part of their Indian way of life. Simply appointing "someone" with no experience or sensitivity will not ensure consistency and accurate observation for both parties. This appointment must be a full-time formal position. This assures effective, pragmatic procedures and continuity for

maximum prosperity for the Forest Service and Tribal governments. It provides for important issues affecting Native Americans to be addressed in a prompt and professional manner. This person would also provide advice or help to the field with impending problems before those problems escalate into the court system.

(7) Another finding indicated strained communication between Forest Service personnel at the ground level and personnel at the Regional level. Therefore, I **RECOMMEND** that people assigned to the Regional office take time to acknowledge the ground level folks who feel "we are forgotten most of the time." Strained relationships within a bureaucracy clouds objectives and maintains barriers. Tribal issues become forgotten resulting in undelivered promises to the Intermountain Indian Communities as they have witnessed in the past.

(8) Through my research, I found that Indian Tribes in the Intermountain Region are challenging their rights and setting landmark legislation for the prosperity of their people. This opens up an entire spectrum of government and Indian relations which makes political, economical and social education vital to understanding Native American needs and uses of the land. Personnel need to identify and learn about their neighbors. It is fruitless to establish guidelines and then be uneducated about tribal groups within the Region. For example, the Shoshone-Bannock, Shoshone-Paiute, and Eastern Shoshone all maintain close cultural ties, however, tribe government structure differs considerably. Therefore, I **RECOMMEND** that the Region develop and implement, through its Native American Program Manager, a consistent training program on Indian governments in the Intermountain Region.

(9) Education fosters better understanding of unfamiliar topics, and establishes respect for traditional and cultural beliefs. Therefore, I **RECOMMEND** that Forest Service personnel in the Intermountain Region receive sensitivity training on Indian tribes in the Intermountain Region. This sensitivity training must start at the District level, and include the Supervisor's Office and Regional Office levels. I **RECOMMEND** that tribal leaders or tribal cultural resource individuals be invited to present tribal customs specific for tribal groups in the Intermountain area. The Region's Native American Program Manager could facilitate this project through each Forest at the District level.

(10) Treaty rights have not been abandoned or forfeited by the Indian governments of today. Indian water rights issues, Indian land boundaries, fishing rights, subsistence hunting and gathering rights are not fixed by original treaties. Rather, Indian rights and negotiations continue and result from historical promises made to the native people. Breach of contract, agreement and treaties negates guaranteed rights of the indigenous people causing tension and distrust by the tribes in the Intermountain Region. Therefore, I **RECOMMEND** that as a first step, Indian lands be depicted on Forest Service maps. Secondly, I **RECOMMEND** that although "treaty making" has ended, the Region's Native American Program Manager become familiar with treaty rights to facilitate the United States government's obligations in response to tribal groups. It will help in the coordination of social, economical and political needs expressed by tribal leaders.

(11) Sacred prayers, songs and reverent gathering of herbs are a part of the sacred ceremonies performed. In order to maintain equilibrium with the Creator, Indian tribes regardless of tribal identity, will never take more than they will actually use in the healing of the sick. Therefore, I **RECOMMEND** that the Region seriously consider abolishing Indian permits to gather natural herbs for traditional and cultural use. A permit is a written license granted by one having authority, and in this case, it is an invasion of spiritual and private religious practice. Indians have always been forced to live under authoritative rule and resent this control. It seems that relations can strengthen if tribes are allowed to freely practice their religious customs without outside interference. If this is not feasible, perhaps Tribes can be given the authority to issue permits allowing cohesive interaction between the Forest Service and the Indian tribes in the Intermountain Region, and at the same time maintain the integrity of a proud people.

(12) Indian Tribes are sovereign nations and tribal governments maintain their guaranteed rights to conduct business separate from public forum. As sovereign nations, Indian tribes have never been required to communicate with the Forest Service. Because they are a soveriegn nation, Tribes and are not dealt with as "special interest" groups, they expect to be consulted with on a government-to-government basis. The tribes believe that as a sovereign nation, through Treaty rights, they are entitled to jurisdictional control. Usually, jurisdictional issues are clarified through memoranda of understanding. Many jurisdictional issues remain unresolved and often end up in litigation. Emerging issues and proposed activities affecting Indian lands or adjacent lands need to be discussed upfront, prior to any decision by the Forest Service. Therefore, I **RECOMMEND** that the Intermountain Region formally acknowledge the tribes as separate entities and power maintained by each tribal group. This acknowledgement should lead to early identification of problem areas and the appropriate procedural involvement will avoid undue delays.

CONCLUSION

Today, Indian Tribes continue to exercise their power and right to rightful land ownership through historical treaties. They will continue to hold the Forest Service liable for continued forest land development and challenge further desecration of Indian lands.

The Intermountain Region of the Forest Service is faced with a variety of challenges to provide and support an open, intensive interaction between their Indian neighbors. The Region must make conscious decisions based on current research information and reciprocate in an effective professional manner to build and maintain trust and respect.

The Region cannot afford to prioritize the Native American agenda without Indian consultation as stated in constitutional laws. To continue in this direction places them under powerful criticism and negates their fiduciary responsibility to the "people of origin," the Native American.

As we move into a new century, time has come for the rebirth and reuniting of a human race. The bitterness and destruction of social groups must end and accountability toward preservation of these groups, and the land upon which we live must take precedence.

The Intermountain Region's Native Americans in Land Management Planning research and findings discussed in this report is not one-sided. This is as much a study of the Forest Service, themselves, as it is a study of Indians and their perspective of forest land planning, both are bound by intimate cultural and forest land embrace.

APPENDIX 1

PROJECT PROPOSAL

SUBJECT: NATIVE AMERICAN IN LAND MANAGEMENT PLANNING

PURPOSE OF RESEARCH:

To produce a written report identifying Native American tribal units and their relationship with the U.S. Forest Service.

BRIEF DESCRIPTION OF PROJECT:

Native Americans maintain a unique relationship with the land. Cultural and spiritual practice, accessibility and utilization of the land is not understood by other social groups, including the Forest Service. To better understand the native people and their way of life, this research identifies and discusses their feelings and provides recommendations to help the USFS to interact with the native people.

ACTION:

In order to compile a report several activities must take place:

1. Identify Native American tribes adjacent and/or within the area of influence for National Forests in the Intermountain Region.

2. Identify tribal government structure, contacts, and communication procedures regarding issues relating to the Forest Service.

3. Research treaties bearing direct relationship on Forest Service System lands.

4. Identify present relationship between tribal groups and the Intermountain Region of the Forest Service.

5. Interview tribal leaders and assess their level of involvement regarding forest resource management.

6. Obtain current names, addresses and phone numbers of appropriate contacts relating to forest management issues and activities.

APPENDIX 1-A

PROJECT PROPOSAL - METHODS TO ACCOMPLISH

1. IDENTIFY NATIVE AMERICAN TRIBES ADJACENT AND/OR WITHIN THE AREA OF INFLUENCE FOR NATIONAL FORESTS IN THE INTERMOUNTAIN REGION.

Indian Tribes in the Intermountain Region will be identified using:

- Bureau of Land Management Base Map for Utah, Nevada, Wyoming, and Idaho; U.S. Geological Topographic Map - Forest Service Engineering Department, Intermountain Regional Office, Ogden, Utah.
- Federal Tribal Lands Map, Bureau of Indian Affairs, Phoenix Area Agency Office, Phoenix, Arizona.
- Handbook of North American Indians; Vol #15, Great Basin, Published by Smithsonian Institution, Washington, D.C., 1988 Weber State University Library, Ogden, Utah.

2. IDENTIFY TRIBAL GOVERNMENT STRUCTURE, CONTACTS, AND COMMUNICATION PROCEDURES REGARDING ISSUES RELATING TO THE FOREST SERVICE.

Tribal Government Structure, Contacts, and Communication Procedures will be identified using:

A. Public Interview With Professionals Exposed To Indian Issues.
Pat Aguilar, Legislative Coordinator, USFS, Intermountain Regional Office, Ogden, Utah.
Wil Numkena, Executive Director, Division, of Indian Affairs, State of Utah, Salt Lake City, Utah.
Daniel McCool, Associate Professor of Political Science, University of Utah, alt Lake City, Utah.
Joyce Quintana, EEO Specialist, Intermountain Research Station, Intermountain Regional Office, Ogden, Utah.
Jerry Wylie, Archeologist, Intermountain Regional Office, Ogden, Utah.
Sonja Tamez, Native American Coordinator, USFS Region 5, San Francisco, California.
Wick Miller, Anthropologist, Department of Anthropology, University of Utah, Salt Lake City, Utah.

B. "Tribal Interview Questionnaire", Appendix 2.

3. RESEARCH TREATIES BEARING DIRECT RELATIONSHIP ON FOREST SERVICE SYSTEM LANDS.

Treaties will be identified using:

A. "Indian Affairs Law And Treaties", Published by Charles Kappler, Clerk To The Senate Committee On Indian Affairs, 1904 Washington Government Printing Office; Weber State University Library, Ogden, Utah.

B. "Tribal Interview Questionnaire", Appendix 2.

C. Handbook of North American Indians; Vol #15, Great Basin, Published by Smithsonian Institution, Washington, D.C., 1988 Weber State University Library, Ogden, UT.

APPENDIX 1-B

DESCRIPTION OF ACCOMPLISHMENTS

1. Native American tribes adjacent and within the area have been identified.
   Total adjacent 9 Total In The Area 12
   Note: This is not inclusive of all tribes identified in the Intermountain Region. The research is focusing only on tribes adjacent and "In the area."

2. Tribal government structure and communication procedures have been identified for the Yomba Council, Fort McDermitt and Skull Valley Reservation.

3. Currently three treaties have been identified:
   Fort Bridger Treaty - Fort Hall Shoshone-Bannock, Idaho
   Treaty of Ruby Valley - Western Shoshone Nation, Nevada
   Treaty of Tooele Valley - Goshute Tribe, Utah

4. Identifying current relationships with the tribes and the Forest Service is ongoing. The information available thus far reflects one of tribes attempting to understand what the USFS intentions are regarding forest land management. Overall, tribal leaders wish to open communication lines with the USFS both formally and informally. There appears to be a sincere sense of working on an individual basis, getting to know who the Forest Service personnel are and their responsibilities toward the forest.

5. The Fort McDermitt Tribal Council was interviewed regarding their level of involvement in resource management. However, there was no discussion or interaction on their part to answer this question. An informal interview with the Yomba Tribal Council proved more beneficial in collecting information regarding this issue. Glen Hooper, Yomba Tribal Council, stated that due to the population and geographical location of the tribe, involvement was minimal. "No one comes to see us unless there's a problem."

   Skull Valley Tribal Council member Leon Bear has stated there is no involvement nor is there any intention to become involved. All issues involving the Goshute Tribe must be initiated through the Tribe's attorney, Danny Quintana, Salt Lake City. Mr. Bear did indicate that these feelings are a direct result of the governments interference without justification, notification or acknowledgement of the Goshute tribe.

6. Current tribal contacts relating to forest management issues is ongoing. A preliminary roster has been written and the names, correct addresses and phone numbers is updated at the time of the interview.

7. Summaries of tribal interviews are complete.

COMPLETION DATE:

A completion date of December 24, 1992, is anticipated.

Addendum: The data collected for this research project is in the process of being compiled and the completion date is realistic. However, the information on treaty rights and their interpretation may prove to be unattainable at the time this project is to be completed. I am experiencing difficulty in obtaining information other than the name and the general interpretation of the treaty.
The interviews are very helpful, but tribal leaders do not have access to the document. I shall continue to research this area and keep you updated as to my progress.

Addendum, 12/8/92: Treaties of Ruby Valley and Fort Bridger have been obtained. I am currently working with appropriate tribe to verify information.

APPENDIX 2

SAMPLE
TRIBAL INTERVIEW QUESTIONNAIRE

PURPOSE: To allow the interview to flow uniformly and obtain as much information the interviewee is willing to offer toward the research. These questions will not be asked word for word. However, it allows the interviewer to formulate thoughts prior to the actual interview.

1. How do tribal leaders contact the USFS regarding forest management activities?
2. Are there legislative mandates related to Forest Service System land utilization?
3. Is access limited to Forest Service System lands (be it permit or fee)?
4. If access is limited by permit or fee, do permits or restraints limit use?
5. Are there disputes occurring?
   If so- Are boundaries the issue?
   Resources the issue?
   Questions of access?
   Disputes over protection of boundaries (i.e., sacred sites)?
6. Is there a preference toward public relations techniques?
7. What is the best method for USFS to request your input?
8. What is the appropriate method for the USFS level of involvement and planning activities?
9. Is there a difference between the interaction and changes at the Regional vs. local level? (i.e., decision making)
10. What is the best way for the USFS to understand your tribal unit?
11. What are your immediate concerns?
12 What has occurred as a result of your concerns?
13. Who are the key contacts over religious issues?
14. Double check tribal leader, address, phone number. How is the tribal leader accessed?
15. Who handles cultural resources?
16. What cultural aspects are important that Forest Service must be aware of before entering onto your reservation?
17. Tribes have sections in their government for environment and cultural issues?
    The name of the contact person?
    How can he be contacted?
18. Do you have a priority list built into your planning and development process regarding USFS lands?
19. What has been your previous level of involvement with the Forest Service?
20. Are you allowed subsistence hunting?

APPENDIX 3-A

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
FORT MCDERMITT INDIAN RESERVATION

INTERVIEW HELD ON NOVEMBER 10, 1992
FORT MCDERMITT TRIBAL COUNCIL MEMBERS
FORT MCDERMITT INDIAN RESERVATION
FORT MCDERMITT, NEVADA

GEOGRAPHIC LOCATION:

Fort McDermitt is located between the northern border of Nevada and the southern border of Oregon adjacent to the Humboldt National Forest. Fort Mcdermitt reservation is the home of the Northern Paiute-Shoshone Tribe with rural homes stretched between the boundaries of the Oregon and Nevada state line. The reservation encompasses 35,183 acres of land with a population of approximately 800 tribal members.

GOVERNMENT STRUCTURE:

The Paiute-Shoshone Tribe is governed by a tribal council composed of elected tribal members from within the community. The Tribal leader, Helen Snapp, Chairperson, works closely with the tribal council in all aspects of political, economic and cultural issues pertaining to the Tribe. The tribal council meets once a month, first in closed chambers, then in public forum to present current issues for discussion.

COMMUNICATION PROCEDURE:

An initial telephone contact stating the purpose of the visit must be made to the Chairperson's secretary, Pauline Adakai. At this time she will inform you of the next general council meeting and place your name on the agenda. A letter stating the reason for your visit must follow the initial telephone contact.

All interviews are received formally. This ensures all tribal council members are informed of pertinent issues prior to decision making.

PRESENT RELATIONSHIP WITH THE USFS:

I was unable to obtain the required information to adequately assess the present relationship. However, I was assured by the tribal council that this topic would be discussed at the next general council meeting scheduled for December, 1992.

ADDENDUM:

Scott Bell, Winnemucca R.D., was helpful in general information regarding the Paiute-Shoshone Tribe (i.e., federal housing programs, general tribal management, out-migration success and failure). He feels that this trip was a positive direction to improving relations with the Paiute-Shoshone Tribe. Most interaction occurred when a problem had been identified and the District Ranger was required to communicate with the Paiute-Shoshone tribal leaders.

Due to the geographic location of the reservation, it is inconvenient for the Forest Service personnel to visit the tribe on a routine basis. Mr. Bell felt that communication must improve if a working relationship is to exist.

From a sociological perspective, the Paiute-Shoshone Tribe maintains a closed formal government. This could be a result of past interactions with other federal agencies, but also a result of total tribal enrollment. Demographics play an important part in the survival of any social group, and this could be an account of a social group maintaining a cohesive network to protect the group from assimilation at the same time ensuring viability.

APPENDIX 3-B

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
THE YOMBA INDIAN RESERVATION

INTERVIEW HELD ON NOVEMBER 12, 1992
GLEN HOOPER-ADMINISTRATOR
MAURICE FRANK-TRIBAL COUNCIL MEMBER
YOMBA TRIBAL COUNCIL HALL
IONE, NEVADA

GEOGRAPHIC LOCATION:

Yomba Indian Reservation is located in the central basin of Nevada adjacent to the Toiyabe National Forest. The reservation includes 4,755 acres of sage and desert floor but their back and front door touch the cedar and pine forest boundaries managed by the USFS and BLM. The Yomba Indian reservation is the home of the Western Shoshone tribe. The population is approximately 300 tribal members, but the enrollment rate is somewhat inaccurate due to integration by marriage with nearby tribes, and in-out migration.

GOVERNMENT STRUCTURE:

The Yomba Tribal Council consists of 6 elected tribal members who work on political, economical and cultural issues. As a result of the tribes population they feel that working directly through the Bureau of Indian Affairs is more beneficial in addressing their concerns.

Tribal elections will be held on December 14, 1992. An update in the directory will be made at that time. All political issues are discussed at the monthly council meetings in open forum fashion allowing the community to interact. The concerns are then forwarded on to the Bureau of Indian Affairs agency who provide technical assistance for the Western Shoshone Tribe.

COMMUNICATION PROCEDURE:

Like the Goshute Tribe, the Yomba Tribal members are cautious of any outside intrusion due to the continuous struggle to maintain their rights as a sovereign nation and the disregard of this right by outsiders.

Maurice Frank and Glen Hooper seemed pleased that attempts are being made by the Forest Service to work on relations and were happy that "an Indian is doing the work." They stated that most times bureaucratic agencies neglect their responsibilities of "learning and understanding who we are" by "just sending anyone who comes along." "We know they are not sincere, so we refuse to work with them."

PRESENT RELATIONSHIP WITH USFS:

The Diversified Public Use area regarding the high desert range wilderness is an ongoing conflict between the Tribe, Forest Service and BLM. The Tribes present position to access has placed a reduction in the tribe's grazing allotments, but at the same time, has allowed the public unlimited access of the wilderness area for recreational purposes destroying the natural terrain.

The BLM states that environmental impact studies were completed and the results showed that there was no destruction as implied by the tribal members. "Their studies continue to be random and not for the specific area that we are concerned with." "Their reports are not accurate for the portion of land that we are concerned with. How can it be?" stated one tribal leader. The tribe feels they are penalized by receiving reduced grazing access because of the outsiders intrusion into the wilderness area. "Outsiders can come and tear up our land and then we get penalized for this. Do you blame us for keeping our doors shut?" commented another tribal leader.

There is no involvement between the tribe and federal agencies, although this is an area the Shoshone Tribe want to address. They would like to work closely with a person who would help them understand what the Forest Service intentions are for the "present and future", and someone they can trust.

CURRENT INVOLVEMENT OF FOREST RESOURCE MANAGEMENT

The tribal leaders identified one area of forest land management concern. The Forest Service has allowed commercial pinion pickers access to the land. Their permits allow them access to all areas and the tribe feels that they should have the right to decide whether, and where they can pick.

Commercial pinion pickers do not understand the cycle of the trees; therefore, harvest too early and in doing so, break tree branch or rip out whole tree stumps to get to the cones. Once the pinions are destroyed, there is no regeneration.

The permits are issued without tribal consultation and the federal agencies do not recognize or feel that outsiders are destroying natural resource which is subsistence for the Shoshone Tribe.

Permitting this type of activity is not clearly understood by the tribe, and continues to build tremendous resentment toward the regulating agencies, including the Forest Service.

Within the last 5-6 years wood cutting has increased in popularity in their area. Again, there has been a harvesting of green trees. Tribal leaders feel that there is no monitoring (tribal or federal) to assess the impact of this activity on the land.

RECOMMENDATIONS FOR THE USFS:

1. Intense outside archeological assessment. There are many burial sites which need to be identified. Camp sites are constructed without the input from the tribal council. "They can't continue to desecrate our sacred lands."

2. Greater involvement from the Forest Service. "We only see them when they want something or when there's a problem." There is absolutely no interaction with the District Ranger. The only person who interacts informally is Jackie Stodwell who maintains the upkeep of the campgrounds in the area.

3. Recognize and treat us as a government. Treaties of the Shoshone Nation are the foundation of federal government and tribal relations. Tribes refuse to deal with any entity otherwise.

4. Include the Shoshone Tribe in forest land management. Positive relations evolve with uniform consensus. Historically, the Forest Service has identified a problem and acted on it without tribal interaction. It could lessen the appeals currently in litigation if prior consultation occurs.

5. If outside agencies are true to their word, they will advocate for Indian involvement. Forest Service personnel hired to interact with the Western Shoshone Tribe should be sensitive, compassionate and understanding of tribal customs. "You will not just lump us together," stated one tribal leader. The Tribe want to be recognized and treated as a sovereign entity. Just as all businesses are not the same, tribal groups govern their communities differently to meet their specific needs.

APPENDIX 3-C

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
SKULL VALLEY INDIAN RESERVATION

INTERVIEW HELD ON NOVEMBER 16, 1992
LEON BEAR, GOSHUTE TRIBAL COUNCIL MEMBER
SKULL VALLEY INDIAN RESERVATION
SKULL VALLEY, UTAH

GEOGRAPHIC LOCATION:

Skull Valley Indian Reservation is located in the Northern Central Basin near the Great Salt Lake adjacent to the Wasatch-Cache National Forest. The reservation encompasses 17,745 acres with its back door to National Forest lands.

Skull Valley Reservation is the home for 111 enrolled Goshute Tribal members. The Tribe also identifies with the Western Shoshone Nation. The Western Shoshone divide their area between 43 groups; 9 of which are "bands" and 34 of which are districts. Historically, the Western Shoshone Tribe was a nomadic group moving throughout vast lands of what is now Utah, Nevada, Colorado, Oregon and California. Thus, "Shoshone" is used to identify the tribes who migrated throughout the area and this can cause confusion as to which specific group, band or colony is identified as the Northern, Western or Eastern Shoshone. This distinction was made by the tribe themselves as a result of geographic locale.

GOVERNMENT STRUCTURE:

The Skull Valley Goshute Tribe is the "Treaty Tribe" which holds the Treaty of Tooele Valley signed on October 12, 1863. The treaty guarantees the Goshute Tribe the right to ownership of Indian lands, subsistence hunting and gathering of natural resources.

Three tribal council members guide the 111 enrolled tribal members. The Chairman - Lawrence Bear, Vice-Chairman - Richard Bear, and Secretary/Treasurer Leon Bear make up the Goshute council. The Tribe has no formal headquarters, but meet once a month to discuss tribal issues.

The Confederated Tribe of the Goshute Nation is located between the Nevada and Utah state line on 35,000 acres near the Humboldt National Forest. Do not confuse the Confederated Tribe of the Goshute Nation with the Treaty Tribe of Skull Valley. The Confederated Tribe is a breakoff from the Treaty Tribe and maintain separate government entities. As a result of the larger land base and tribal membership, federal agencies, including the Forest Service maintain greater interaction with the Confederated Tribe.

COMMUNICATION PROCEDURE:

All issues pertaining to the Goshute Tribe must be initiated through Danny Quintana, Tribal Attorney, Salt Lake City, Utah. However, during my interview Mr. Bear did indicate that he is willing to communicate with the public at his discretion. Realizing the difficulty at times to contact Danny Quintana,

Mr. Bear will introduce information before the council (routine tribal procedure) then forward the issues to Mr. Quintana for further research. It was emphasized that these feelings and "their way of doing business" was a direct result of the government's interference without justification, notification or acknowledgement of the Goshute Tribe.

PRESENT RELATIONSHIP WITH THE USFS:

There is no intention to interact with the Forest Service. Currently, the only contact with the Forest Service is when they attempt to "trespass" through reservation lands to gain access to the Wasatch-Cache National Forest lands. This is the only entrance other than backpacking or horseback outside reservation boundaries. The harshness of the tribal law resulted when the Forest Service refused to help maintain the only accessible road to reach the mountain when asked by tribal members. "They thought they could come through and tear up our roads and land any time they wanted. They said they had the right because they were the government."

The Confederated Tribe have more interaction with the USFS due to a larger geographic area and population density.

The distinct separation between the "Treaty Tribe and Confederated Tribe" geographically, and through the Bureau of Indian Affairs (Phoenix agency vs Portland agency) fragments the Goshute Tribe impacting their ability for continuity.

CURRENT INVOLVEMENT OF FOREST RESOURCE MANAGEMENT:

The Tribe had problems in the past with hunters taking more than their "fair share," but enforcement of tribal jurisdiction has lessened the problem. The Goshute tribal members prefer to "leave the land alone," only utilizing their natural resource, water, from a natural spring which flows directly into their reservation.

The Treaty of Ruby Valley and the Treaty of Tooele Valley give this tribal government acquired rights to "hunt and gather" freely for subsistence purposes. "We would never take more than we need." "Hunting and gathering has always been a way of life for our people," states Leon Bear.

Native Americans have a sacred and spiritual belief with all elements of nature. There are many ways the Goshute worship The Creator. Ceremonies are held regularly and the "spiritual gathering" must be completed prior to the sacred ceremonies. Tribal members have experienced harassment from the Forest Service for gathering without a permit outside reservation boundaries. The Forest Service must understand that gathering periods vary which result in random patterns of natural resource utilization for the Goshute community.

RECOMMENDATIONS FOR USFS:

1. Come directly - Don't send a third person.

2. The Goshute Tribe is a sovereign nation but they are not acknowledged as such. Consult with the Tribe on government issues..

3. The Forest Service personnel interacting with tribes must have the authority to make decisions - presently tribes experience the "run around."

4. It is appropriate to be notified by paper. However, include the Goshute in decision making policy - Don't decide, then present papers to the Tribe.

5. Through treaty rights, the tribe maintains the power and right as a sovereign nation to hunt and gather freely. The Forest Service and other government must acknowledge this right. The Tribe will continue to involve the court system until this inherent right is recognized and honored.

6. Notify the Tribe of current Forest Service activities. They ask that the Forest Service keep them informed of policy relating to land management.

APPENDIX 3-D

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
THE FORT HALL INDIAN RESERVATION

INTERVIEW HELD ON NOVEMBER 23, 1992
SHAUN ROBERTSON, FISH AND WILDLIFE BIOLOGIST
HOBBY HEVEWAH, LAND USE POLICY COMMISSION
MARVIN OSBORNE, SHOSHONE-BANNOCK TRIBAL BUSINESS COUNCIL MEMBER
ROZELLA L. MOSHO, LAND USE POLICY COMMISSION
JAMES OSBORNE, VICE-CHAIRMAN, SHOSHONE-BANNOCK TRIBE
SHOSHONE-BANNOCK TRIBAL COUNCIL BUILDING
FORT HALL INDIAN RESERVATION
FORT HALL, IDAHO

GEOGRAPHIC LOCATION:

Fort Hall Indian Reservation is located in southeastern Idaho adjacent to the Caribou National Forest. The reservation at one time encompassed 1.8 million acres but land cessions reduced this amount when Congress introduced the General Allotment Act in the 1880's. Today, the reservation consists of 544,000 acres of land where the 3,528 tribal members reside.

GOVERNMENT STRUCTURE:

The Fort Hall Business Council is the governing body of the Shoshone-Bannock Tribe. Seven elected tribal members make up the council who legislate laws through resolutions and ordinances. The council, on behalf of the Shoshone-Bannock Tribe, has the authority to enter into agreements and memoranda of understanding with the State of Idaho, federal agencies, county and city governments.

The Shoshone-Bannock Tribe oversees and provides services through its various departments and offices. The personnel number approximately 280 and the majority are enrolled tribal members.

The following preamble summarizes the tribal government of the Shoshone-Bannock Tribes: "We, the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho, in order to establish a more responsible organization, promote our general welfare, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of self-government not inconsistent with federal, and local laws, do ordain and establish this Constitution for the Shoshone-Bannock Tribes of the Fort Hall Reservation."

COMMUNICATION PROCEDURE:

It is mandatory that the Forest Service contact Shaun Robertson, Fish and Wildlife Biologist, who is the spokesman for the Shoshone-Bannock Tribe. Mr. Robertson, in turn, will contact the Fort Hall Business Council and the Land Use Policy Commission. This procedure enables direct communication to appropriate tribal officials and tribal departments, thus alleviating misdirected correspondence which, in the past, resulted in loss opportunity for tribal participation in policy decision making. The Tribe maintains firmness

in communication procedures, but welcome all who come with an open mind to understand the Shoshone-Bannock Tribe and their way of life.

PRESENT RELATIONSHIP WITH THE USFS:

The present relationship between the Shoshone-Bannock Tribe and the USFS is one of distance and ill will created from past and present conflict over USFS boundary issues.

By virtue of the Fort Bridger Treaty of 1869 and later, under the Indian Reorganization Act of 1934, the Shoshone-Bannock Tribe maintains the right to utilize both off and on reservation land as stated in Article 4 of the Fort Bridger Treaty. This includes treaty rights for hunting, fishing and gathering.

Presently, the Forest Service has an attitude of over protection towards ownership of forest lands negating treaty responsibility. Since the Forest Service is under the auspice of the United States Department of Agriculture, the power and decision making process is exclusively one sided. The Tribe is excluded from National Forest System lands for sacred gathering and sacred ceremonies which makes ongoing relations unachievable.

The Tribe feels the Forest Service must become sensitized to tribal rights and beliefs. Through fiduciary responsibility, the USFS must bring longevity and growth back to the land. After all, it is "our land that they took, promised to help us, and then forgot," states James Osborne, Vice-Chairman of the Shoshone-Bannock Tribe. Until a sincere effort is made on the governments part to acknowledge the Tribe and their sovereignty, relationships will remain distant.

RECOMMENDATIONS FOR THE USFS:

1. The Tribe would like to see a supplemental policy/goals/objectives section within the Forest Service revision plan dealing specifically with Native American issues.

2. The Fort Bridger Treaty of 1869 includes inherent rights to unoccupied lands in the United States which includes Forest Service System lands, private lands and BLM lands. The treaty mandates the Forest Service honor the Tribes treaty rights.

3. The Forest Service must design consultation guidelines in dealing with all tribes in the Region.

4. As the Forest Service is in the process of forest plan revisions, it is essential that these revisions are positive in the direction of:

   A. Acknowledging individual treaties and tribes.

   B. Implementing an outline for consultation pertaining to laws relating to Forest Service issues.

   C. Recognizing individuality to other treaties.

5. Do not address the Tribe through letter correspondence and expect an immediate answer. You must go in person to the reservation and meet on an individual basis.

6. Land exchange issues will always be a major concern; however, do not lose sight from cultural issues which are ongoing. Learn about the Tribe's cultural and traditional customs.

7. The Forest Service's plan revision should be done in formal consultation with all tribes.

8. The Intermountain Regional office hire a permanent full time liaison individual to help with the government to government relationship.

9. Form an interagency committee who will work on both short and long term charter revisions with regards to the Forest Service manual. The committee should consist of Forest Service personnel and tribal members to work on preserving continuity for both groups.

10. Recognize the Tribe for their existence as a working sovereign entity.

11. The Regional Native American Coordinator must be sensitive and knowledgeable in Native American issues and culture. "We prefer a Native American."

APPENDIX 3-E

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
THE DUCK VALLEY INDIAN RESERVATION

INTERVIEW HELD ON NOVEMBER 25, 1992
HERMAN ATKINS-TRIBAL ADMINISTRATOR
LISA JIM, TRIBAL EMPLOYMENT RIGHTS OFFICER
EDITH MANNING, GRANT WRITER
ROCHELLE THOMAS, EDUCATION TRAINING AND EMPLOYMENT DIRECTOR
SHOSHONE PAIUTE TRIBAL OFFICE
SHOSHONE-PAIUTE TRIBE
OWYHEE,NEVADA

GEOGRAPHIC LOCATION:

The Northern Shoshone-Paiute Tribe reside on 294,242 acres of reservation land located between the Idaho and Nevada stateline adjacent to the Humboldt National Forest lands. In recent times the Tribe has witnessed a drastic reduction in original Indian lands.

Historically, the Northern Shoshone-Paiute migrated the vast regions of the west for some 600 miles. The perimeter followed the western edge and sometimes the crest of the Sierra Nevada. It extended 300 miles to the north continuing through an undetermined territory beyond the summits which divided the drainage system of the Columbia and Snake rivers. The eastern limits of the territory included Mono Lake. In 1859, the Federal Government reserved lands for this northern tribe. Three areas proposed were Walker River and Pyramid Lake, Nevada formally established in 1874 and Malheurn Reservation in Oregon established in 1871. It was thought that these three areas were sufficient to settle the Tribe and attempts were made to force the settlement. In the end, many tribal members refused to migrate and in the late 1800's small colonies and reservations throughout Nevada, California and Oregon were established.

In 1877, Duck Valley Indian Reservation was established and remains the home of the Northern Shoshone-Paiute.

GOVERNMENT STRUCTURE:

The Shoshone-Paiute Tribal Chairman, James Paiva, heads the Duck Valley Indian Reservation in Owyhee, Nevada. The Shoshone-Paiute Business Council is the governing body. The eight member council are elected tribal members from within the community who govern the Tribe in political, economic and cultural policy. The Tribal Administrator is liaison between the 27 departments within tribal operations and the Business Council. The departments responsibility is to provide services to the Shoshone-Paiute tribal members, and conduct official business with Federal, State and private agencies. Eight separate committees relating to tribal enrollment, health services, education, housing, land and livestock report directly to the tribal chairman.

COMMUNICATION PROCEDURE:

Forest Service related issues must be communicated in writing directly to the Tribal Administrator. The Tribal Administrator then notifies the appropriate

department and the issues are addressed. This procedure disseminates and protects tribal government interest by uniform acknowledgment.

PRESENT INTERACTION WITH THE USFS:

Current tribal interaction is fair with room for improvement in working relations. Present concerns not only focus on utilization of forest lands, but the cooperative agreement of summer/seasonal employment. A part of the tribes growth and prosperity is a result of continuous endeavors of cooperative agreements between tribe and federal agencies regarding Native American natural resources. However, opportunities for tribal members to further their education and develop their leadership skills in natural resource areas is not occurring as stated in the Cooperative Agreement between the Business Council and the Forest Service Regional Office in Ogden, Utah. The Tribal leaders emphasize natural resource employment opportunities and cooperative forest land management is imperative.

The purpose of the Cooperative Agreement Program is to recruit and employ tribal members into the Forest Service system. The Tribe contends this is a mutual agreement which includes mutual financial expenditure. The Tribal leaders feel the USFS should take financial responsibility and bear the overhead costs of operating the joint venture. The Tribe pictures this problem resolvable through pursuing joint negotiations with the Forest Service to fund and operate the Cooperative Agreement Program.

As a result of the above, the Shoshone-Paiute Tribe is cautious in dealing with outside agencies who imply a project beneficial for the Tribe, but undermine the intent of the agreement.

There is a tendency to "take advantage" of tribal services as experienced with the Mountain City Ranger District. The Mountain City Ranger District appropriated funds to "trail clean" a specified area with tribal acknowledgement. However, once tribal crew began the work Forest Service personnel informed tribal workers that the "clean up area" was now "a mile" instead of the "half mile" that was originally agreed upon. "It's dealings like this that cause problems with the Forest Service," expressed Mr. Atkins.

Trust responsibilities of the Bureau of Indian Affairs regarding "water rights" and appropriate adjudication of such is an ongoing issue. The geographic location of the reservation, reservoir, and private land ownership (ranchers) has caused signs of drought and placed strain on the land. The conflict of interest has distanced involved agencies even though they are within twelve miles or closer of each other.

Tribal leaders reiterated Tribal and Forest Service System land management involvement is "workable." Presently there is no involvement or acknowledgement of the Forest Service. The Tribe is aware, in general, that issues pertaining to the forest lands are "out there" and probably being addressed; however, "they don't inform or include us," stated one tribal leader. The tribal leaders are not aware of any forest issues specific for the Shoshone-Paiute tribe at this time.

RECOMMENDATIONS FOR THE USFS:

1. The Shoshone-Paiute Tribe is a sovereign nation and maintains this right resulting from the 1863 Treaty of Ruby Valley. The Tribe reserves the right through the Treaty to unlimited utilization of all public lands. Survival of the Shoshone-Paiute Tribe will continue regardless of wrongful taking of what "once was and will always be our land," commented another tribal leader. Until the Forest Service and other government institutions acknowledge Native Americans, in particular the Shoshone-Paiute Tribe, the Tribe will continue to challenge their right to ancestral lands.

2. The Forest Service must include the Tribe in decision making policy. Presently, the Forest Service prioritizes the needs of the ranchers and disregards tribal needs. The "water rights" issue is an example of the government's irresponsibility toward the Tribe.

3. Equality. The Shoshone-Paiute Tribe has witnessed and felt the results of inequality throughout their history. The abolishment of hunting and neglect of "rightful ownership" will continue to strain relationships. Important decisions affecting tribal lands continue to be made without notification.

4. Common courtesy. Come to visit the tribe. Misconceptions cannot be understood unless one visits and learns about the Shoshone-Paiute Tribes traditional, cultural and government customs. It is easy to stay within a "safe environment" and make decisions about what one thinks it best for "our tribe."

5. USFS high "turn-over-rate." The Forest Service personnel are constantly changing employees. This causes inconsistency in building relations. Once an employee has been exposed to tribal procedures he/she is transferred and the new person must adjust bringing their attitude about the Shoshone-Paiute way of life. Most often, the attitudes are negative which hinder what has already been established. Would the Forest Service be willing to work on orientation procedures with the Tribe?

6. Send a Forest Service representative to speak with the Shoshone-Paiute Tribe on current forest land management issues. "We are left out on what they are doing." "What is the Forest Service doing to the land?" asks tribal members.

7. "Where does the Forest Service come in with game preservation? What do they police?" The Shoshone-Paiute Tribe is asking the Forest Service to help answer this question.

8. Come in person. Compliance is greater among tribal leaders if the Forest Service personnel responsible for the changes will come and present the issues in person. The Tribe "will listen" and "act" if direct contact is made.

9. The Forest Service is in dire need of a Native American Coordinator to help with interpretation. The treatment of Native Americans, in particular "our Tribe," has always been one of inequality and a coordinator could educate the Forest Service, and at the same time help meet the Tribes needs. The Tribe will observe future direction of the Forest Service research project. Tribal leaders expressed resentment and distrust with past Forest Service interaction.

After explaining the purpose of the research project, the tribal leaders stated they will observe the Intermountain Region Forest Service to "see if they really mean what they say," in building trust and forming a better working relationship with the Tribe.

APPENDIX 3-F

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
FORT DUCHESNE INDIAN RESERVATION

INTERVIEW HELD ON DECEMBER 2, 1992
JONAS GRANT, DIRECTOR, DEPARTMENT OF NATURAL RESOURCES
FORT DUCHESNE TRIBAL OFFICE
FORT DUCHESNE INDIAN RESERVATION
FORT DUCHESNE, UTAH
TELEPHONE INTERVIEW DECEMBER 8, 1992
GARY ORR, DIRECTOR, BUREAU OF INDIAN AFFAIRS
TRIBAL FORESTER
UINTAH AND OURAY INDIAN RESERVATION
FORT DUCHESNE, UTAH

GEOGRAPHIC LOCATION:

The Uintah and Ouray Indian Reservation is located in the Intermountain West on 2.3 million acres of interior boundary and 4.5 million acres as the exterior boundary. Approximately 98.8 percent is land base owned by the Ute tribe. The Ute reservation touches the Ashley National Forest lands and also extends into the Uintah Basin. The Tribe has a unique history. In 1905, The Federal Government seized the 4.5 million acre exterior boundary forcing the Tribe to live within the 2.3 million acre lands. The Bureau of Indian Affairs did not exist at this time which left the Tribe without leadership to advocate for tribal growth and prosperity. The Ute Tribe continue their fight to reclaim original Indian lands seized by the Federal Government.

In 1986, the Federal court upheld the original 4.5 million acre exterior boundary and awarded the acreage to the Ute Tribe. The Ute Tribe experienced land management shortcomings which resulted in the Bureau of Land Management executing management direction. Today, the exterior boundary remains under Ute ownership and managed by the BLM. The awarded acreage is currently in litigation between the State of Utah, Bureau of Land Management, Forest Service and the Ute Tribe.

GOVERNMENT STRUCTURE:

The Ute Indian Tribe is composed of three bands: the Uintahs, Uncompahgres and Whiteriver. Two members from each band is elected to form the six member Ute Tribal Business Council which is the governing body for the Tribe. Committee members are elected to 4 year terms on a staggered basis, 3 seats every 2 years, to maintain tribal continuity in development and implementation of policy. The six member Business Council elects from within the council a chairman and vice-chairman. Presently, Luke Duncan, Tribal Chairman, leads the Ute Tribal Business Council.

COMMUNICATION PROCEDURE:

Send Forest Service affairs to the Director of the Department of Natural Resource, carbon copy written communication to the Ute Tribal Business Council and Superintendent of the Bureau of Indian Affairs. Decision making policy is handled under the Division of Natural Resource who, in turn, consults with the

BIA Forest department. Tribal organization structure is made up of various natural resource divisions (i.e., Oil, Gas, Forestry, Wildlife), therefore, triage is vital to maintain a high level government to government involvement.

PRESENT INTERACTION WITH THE USFS:

Current interaction with the Forest Service is first-rate. Ranger Districts work closely with the Tribe informing and consulting all forest management related issues with appropriate tribal divisions. "This is probably the reason for a great working relationship with the Forest Service," states Gary Orr, Bureau of Indian Affairs, Department of Forestry.

The Tribe will continue to press for rightful land ownership thus, an increased understanding of tribal sovereignty from all federal agencies will maximize cooperative efforts.

The Ute Tribe has a Memoranda of Understanding with the Forest Service on "Road Right of Way" to enter and exit into and beyond forest boundaries. This gives all parties access to utilize National Forest System lands. This agreement was drawn up between the Forest Service, Ute County and the Ute Tribe.

The tribal leader did not identify any treaties bearing relationship of forest land management issues.

RECOMMENDATIONS FOR THE USFS:

1. Continue to interact with the Tribe in a positive environment. There is much work to be done and cooperation is essential.

2. Address forest land management issues to the Tribal Business Council, Superintendent of the Bureau of Indian Affairs and Director of Division of Natural Resources. Problems in the past have been the result of misdirected communication causing extreme delay and the Tribe being "left out" of important policy decision making.

3. The Federal Court upheld exterior reservation boundaries which has been appealed by the Bureau of Land Management, Forest Service and the State of Utah. The outcome will affect everyone. The Ute Tribe asks that the Forest Service keep an "open mind" in government dealings.

APPENDIX 3-G

SUMMARY OF SITE VISIT/TRIBAL INTERVIEW
THE FORT WASHAKIE INDIAN RESERVATION

INTERVIEW HELD ON DECEMBER 3, 1992
MATTHEW NOSEEP, SHOSHONE BUSINESS COUNCIL MEMBER
STARR WEED, SHOSHONE BUSINESS COUNCIL MEMBER
BEN SNYDER SR., DIRECTOR, SHOSHONE TRIBAL FISH AND GAME
FLOYD L. PHILLIPS, REALTY SPECIALIST, BUREAU OF INDIAN AFFAIRS
SHOSHONE TRIBAL COUNCIL CHAMBERS,
WIND RIVER INDIAN RESERVATION
FORT WASHAKIE, WYOMING

GEOGRAPHIC LOCATION:

The Wind River Indian Reservation is located within Fremont and Hot Springs counties of West Central Wyoming East of the Continental Divide. The North boundary is the Owl Creek Mountains and the West is the Wind River Range, Wind River Mountains, and the Bridger and Shoshone National Forest lands.

Fort Washakie is the Shoshone and Arapahoe agency headquarters and is located along the line of the Wind River Mountains to the South, and the Wind River Basin to the West.

In 1983, the Shoshones were awarded $4,453,000.00 for half the reservation occupied by the Arapahoe Tribe. This settlement allowed the Shoshone to repurchase fee owned ranches within the restored area. The Shoshone Tribal members are principal occupants of the western area of the reservation which include Ft. Washakie and Crowheart-Burris, while the Arapahoe tribe occupy the eastern part of the reservation at Ethete and Arapahoe. Members of both Tribes live in the Mill Creek-Boulder Flat area.

The original reservation was established by the Ft. Bridger Treaty of July 2, 1863, which included parts of Colorado, Utah, Idaho, Montana and Wyoming and totaled 44,672,000 acres. A second treaty of Ft. Bridger, signed July 3, 1868, established the reservation in its present location of 3,054,182 acres.

Today, the Wind River Indian reservation is the home of two tribes, the Eastern Band of the Shoshone, and the Northern Band of the Arapahoe. The Shoshones are the original inhabitants to the reservation, however, in 1878 the Arapahoes were settled on the reservation when they were in need of a winter home.

In 1938, the Shoshone were awarded a judgment for one-half of the reservation given to the Arapahoe. Since this time, both Tribes have joint ownership of Indian lands. The eastern part of the reservation was given in allotment to the Arapahoes, and the western portion to the Shoshones.

Present Shoshone enrollment is approximately 2,357 tribal members and 3,501 enrolled Arapahoes. Approximately 75 percent reside on the reservation within Fremont or Hot Springs counties.

GOVERNMENT STRUCTURE:

Both Tribes have a Business Council consisting of six members each which act jointly in all matters of common interest. The Shoshone and Arapahoe Business Council members are elected every 2 years for a 2-year term. Both councils are elected by tribal members respective to separate tribal identification. The December 1992 elections held voted twelve new tribal council members to govern and oversee the Shoshone-Arapahoe Tribes.

The affairs of the two Tribes are not completely integrated. Each have independent associations, enterprises and incomes. Separate tribal venture is based on tribal growth and prosperity, although revenue from oil and gas is the main source of tribal income.

COMMUNICATION PROCEDURE:

Because of the government structure, the Joint Business Council must be notified of Forest Service policy implementation. The Joint Business Council is the twelve members representing both the Shoshone and Arapahoe Tribes.

Written communication and telephone contact of tribal leaders ensures appropriate planning, and at the same time acknowledges their separate entity on certain issues. The Tribes ask the USFS allow sufficient time for them to meet and discuss pertinent issues. A letter stating an unrealistic deadline for both Tribes to respond prevents tribal leaders from communicating effectively and forming a cohesive network between Forest Service personnel and the Tribes.

Be aware that the Medicine Wheel Alliance is a group composed of tribal members, traditional and spiritual leaders. They evolve to keep the Northern and Eastern Shoshone nations informed of cultural issues pertinent to the planning and future development of sacred land as established in their treaty. Further information on current issues can be obtained by contacting the Medicine Wheel Alliance/Associated, P.O. Box 37, Huntley, Mt 59037, telephone number (406) 348-2079 or P.O. Box 766, Ft. Washakie, Wy 82514, telephone number (307) 332-7436. (This number is direct contact with Board Member, Haman Wise, Sr., Wind River Shoshone Nation).

The tribal members interviewed stated the Shoshone Nation did not have established liaisons or memorandums of understanding with the existing forests.

PRESENT RELATIONSHIP WITH THE USFS:

The present relationship with the USFS is positive, but there is room for improvement. Communication and education on cultural and traditional ways of the Shoshone and Arapahoe is vital in understanding their reasons for protecting the sacred lands in the present way.

Both Tribes are actively involved in forest management through the Medicine Wheel Alliance; however, they are not directly involved in the Forest Service's resource management. This is a result of the Forest Service attempting to assume what is best for the Tribe, consequently interaction is mostly through the court system.

The Shoshone Tribe takes cultural and traditional preservation of their heritage seriously. The Forest Service has completed a visitor's center and in the process has offended their Shoshone neighbor's. Pictures depicting the Shoshone Nation were obtained and hung without prior authorization from the Shoshone Tribe. This is an invasion of private property and the Tribe is working to obtain these pictures and strongly reprimand those responsible.

The Medicine Wheel Alliance is currently setting parameters "around our sacred mountain" to keep visitors off. The USFS is trying to commercialize it and "we will continue to fight to keep it sacred," states Starr Weed, Shoshone Tribal Council member. "To them its just a mountain, but for us its like a church."

The tribal members also indicate that they have been "by passed" on important issues. A snowmobile trail was made without prior tribal input. "They don't consult with us." This type of interaction has been continuous and is the reason for the negative relationship. Overall, tribal leaders don't think that a peaceful resolution will happen soon.

RECOMMENDATIONS FOR THE USFS.

1. Come in person to talk.

2. The USFS along with the Shoshone-Arapahoe Tribes use the roads to get up and down the mountain. They need to help financially with the maintenance of the roads.

3. The USFS needs to help maintain continuous upkeep of the roads.

4. The Shoshone-Arapahoe must be included in consultation. They are by passed and this keeps the Tribes from active participation in policy making.

5. Do not send correspondence and expect an immediate response. The Joint Business Council must be notified in all aspects and this takes time.

6. Learn about the Shoshone-Arapahoe Tribe. Through this all outsiders can understand why "we want strict confidentiality with traditional and cultural customs".

APPENDIX 4

INTERMOUNTAIN REGION FOREST SERVICE
LANDS AND ADJACENT INDIAN RESERVATIONS

IDAHO

CARIBOU NATIONAL FOREST	**Indian lands**	**Contact Person**	**Tribal Leader**
Pocatello R.D. Federal Building Suite 187 250 South 4th Avenue Pocatello, ID 83201 (208) 236-7500	Fort Hall Indian Reservation	Shaun Robertson Fish and Wildlife Biologist P.O. Box 306 Ft. Hall, ID 83203 (208) 238-3700	Kesley Edmo Sr. P.O. Box 306 Ft. Hall, ID 83203 (208) 238-3700

NEVADA

HUMBOLDT NATIONAL FOREST

Mountain City R.D. Mountain City, NV 89831 (702) 763-6691	Duck Valley Indian Reservation	Herman Atkins, Administrator Shoshone Paiute Business Council Box 219 Owyhee, NV 89832 (702) 757-3211	James Paiva, Chairman Shoshone Paiute Business Council Box 219 Owyhee, NV 89832 (702) 757-3211
Ruby Mountains R.D. 301 S. Humboldt P.O. Box 246 Wells, NV 89835 (702) 752-3357	South Fork Indian Reservation	Anthony Tom Administrator Box B-13 Lee, NV 89829 (702) 744-4273	Stillman Knight South Fork Band Council Box B-13 Lee, NV 89829 (702) 744-4273
Santa Rosa R.D. 1200 Winnemucca Blvd., East Winnemucca, NV 89445 (702) 623-5025	Fort McDermitt Indian Reservation	Helen Snapp Chairperson Fort McDermitt Tribal Council Box 457 McDermitt, NV 89421 (702) 532-8259	Helen Snapp Chairperson Box 457 McDermitt, NV 89421 (702) 532-8259

TOIYABE NATIONAL FOREST	Indian lands	Contact Person	Tribal Leader
Austin R.D. t 50 S. Main at 5th P.O. Box 130 Austin, NV 89310 (702) 964-2671	Yomba Indian Reservation	Maurice Frank Tribal Council Member Box 6275 Austin, NV 89310 (702) 964-2463	Wayne Dyer, Chairman Box 6275 Austin, NV 89310 (702) 964-2463

UTAH

ASHLEY NATIONAL FOREST

Vernal R.D. 355 N. Vernal Avenue Vernal, UT 84078 (801) 789-1181	Uinta and Ouray Indian Reservations	Jonas Grant P.O. Box 190 Fort Duchesne, UT 84026 (801) 722-5141 x129	Luke Duncan P.O. Box 190 Fort Duchesne, UT 84026 (801) 722-5141
Roosevelt R.D. 244 West Highway 40 Box 333-6 Roosevelt, UT 84066 (801) 722-5018			
Duchesne R.D. 85 West Main P.O. Box I Duchesne, UT 84021 (801) 738-2482			

WASATCH NATIONAL FOREST

Salt Lake R.D. 6944 South 3000 East Salt Lake City, UT 84121 (801) 524-5042	Skull Valley Indian Reservation	Leon Bear P.O. Box 244 Dugway, UT 84022 (801) 831-6302 (Home) (801) 831-6126 (Tribal number, also Fax Number)	Lawrence Bear Contact Lawrence Bear thru Danny Quintana, Attorney 10 West Broadway, Suite 205 Salt Lake City, UT 84101 (801) 363-7726

DIXIE NATIONAL FOREST	Indian lands	Contact Person	Tribal Leader
Cedar City R.D. P.O. Box 0627 Cedar City, UT 84721-0627 (801) 865-3200	Southern Paiute Indian Reservation	Geneal Anderson, Chairperson Tribal Council of Paiute Indian Tribes of Utah 600 North 100 East Paiute Drive Cedar City, UT 84720 (801) 586-1112	Geneal Anderson Tribal Council of Paiute Indian Tribes of Utah 600 N. 100 E. Paiute Drive Cedar City, UT 84720 (801) 586-1112
WYOMING			
BRIDGER-TETON NATIONAL FOREST			
Jackson R.D. 25 Rosencrans Lane P.O. Box 1689 Jackson, WY 83001 (307) 733-4755	Wind River Indian Reservation	Darwin St. Clair, Chairman Shoshone Tribe Box 538 Fort Washakie, WY 82514 (307) 332-3532	Darwin St. Clair, Chairman Shoshone Tribe Box 538 Fort Washakie, WY 82514 (307) 332-3532
Buffalo R.D. **Blackrock R.D.** Highway 26-287 P.O. Box 278 Moran, WY 83013 (307) 543-2386		Harvey Spoonhunter, Chairman Arapaho Tribe P.O. Box 217 Fort Washakie, WY 82514 (307) 332-3532	Harvey Spoonhunter, Chairman Arapaho Tribe P.O. Box 217 Fort Washakie, WY 82514 (307)332-3532
Pinedale R.D. 210 West Pine P.O. Box 220 Pinedale, WY 82941 (307) 367-4326			

APPENDIX 5

INTERMOUNTAIN REGION FOREST ACREAGE BY STATE

STATE	GROSS ACRES WITHIN UNIT BOUNDARY	ACTUAL ACRES IN NATIONAL FOREST
IDAHO		
Boise	2,958,652	2,648,380
Caribou	1,085,961	987,191
Challis	2,488,104	2,464,674
Payette	2,424,892	2,324,466
Salmon	1,795,241	1,772,125
Sawtooth	1,894,789	1,801,530
Targhee	1,688,778	1,642,944
TOTAL FOR STATE	14,336,417	13,641,310
NEVADA		
Humboldt	2,618,087	2,469,395
Toiyabe	3,328,183	3,212,545
TOTAL FOR STATE	5,946,270	5,681,940
UTAH		
Ashley	1,405,089	1,384,133
Dixie	1,967,189	1,883,846
Fishlake	1,525,655	1,424,913
Manti-LaSal	1,310,915	1,238,419
Uinta	889,467	813,441
Wasatch-Cache	2,289,224	1,560,643
TOTAL FOR STATE	9,387,539	8,305,395
WYOMING		
Bridger-Teton	3,439,233	3,399,767
TOTAL NATIONAL FORESTS	33,109,459	31,028,508

SOURCE: Land Areas of the National Forest System
February, 1992

APPENDIX 6
INDIAN LAND TRANSFER MAPS

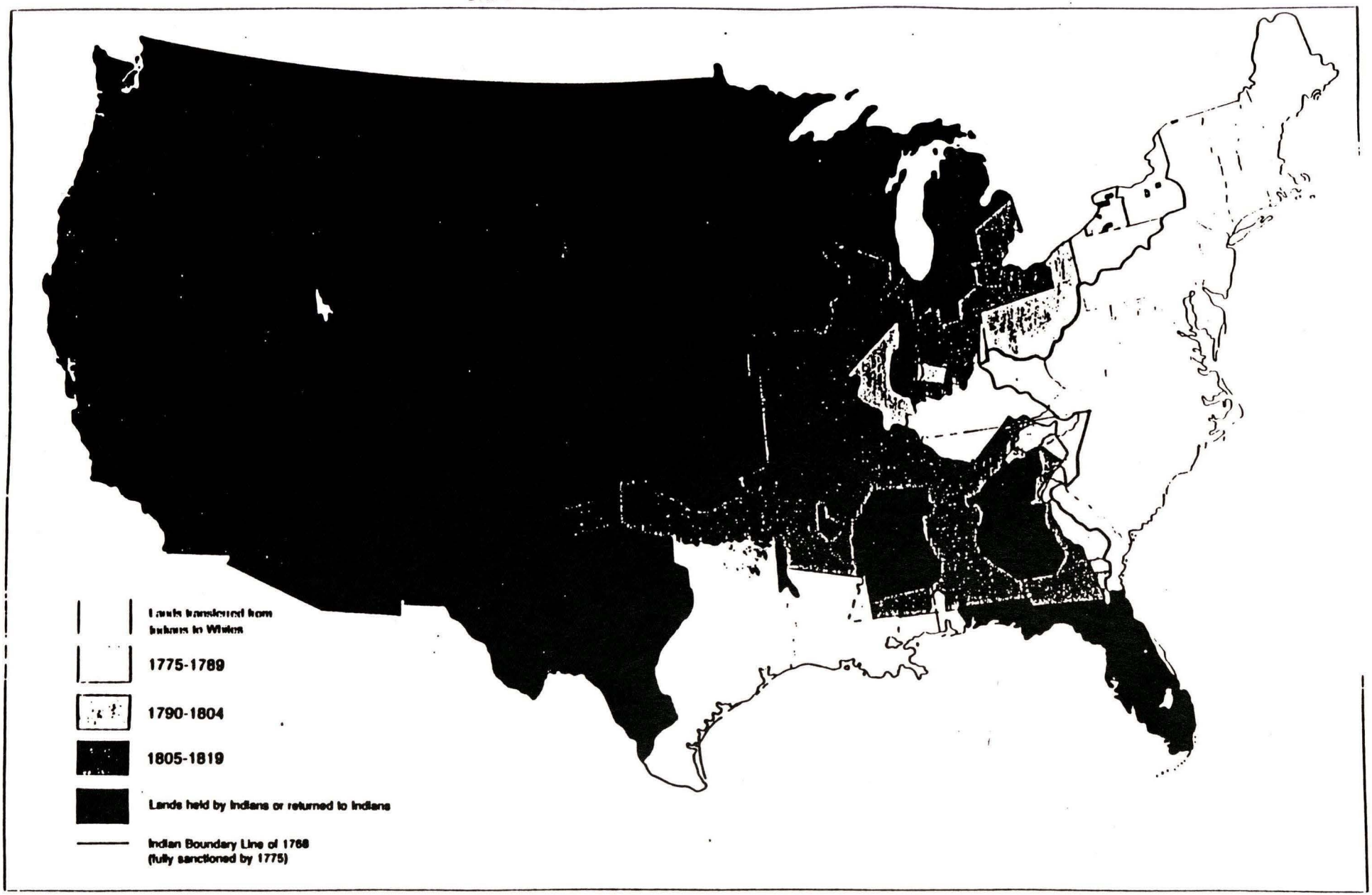


Fig. 2. Lands transferred from Indians to Whites include: those formally ceded by ratified treaty or agreement; those obtained by purchase; those taken by unratified treaty or agreement; and those expropriated, without any Indian consultation, by executive order, act of Congress, order of the secretary of the interior, or private seizure. Note that many transfers reoccur due to overlapping tribal claims or due to Indian tribes that had relocated on already ceded land later ceding portions so that still other Indian tribes could relocate there (especially in Okla.). Lands returned to Indians include those retroceded as reservations by one of the following: ratified or unratified treaty or agreement, executive order, act of Congress, or order of the secretary of the interior. a, Land transfers, 1775–1819.

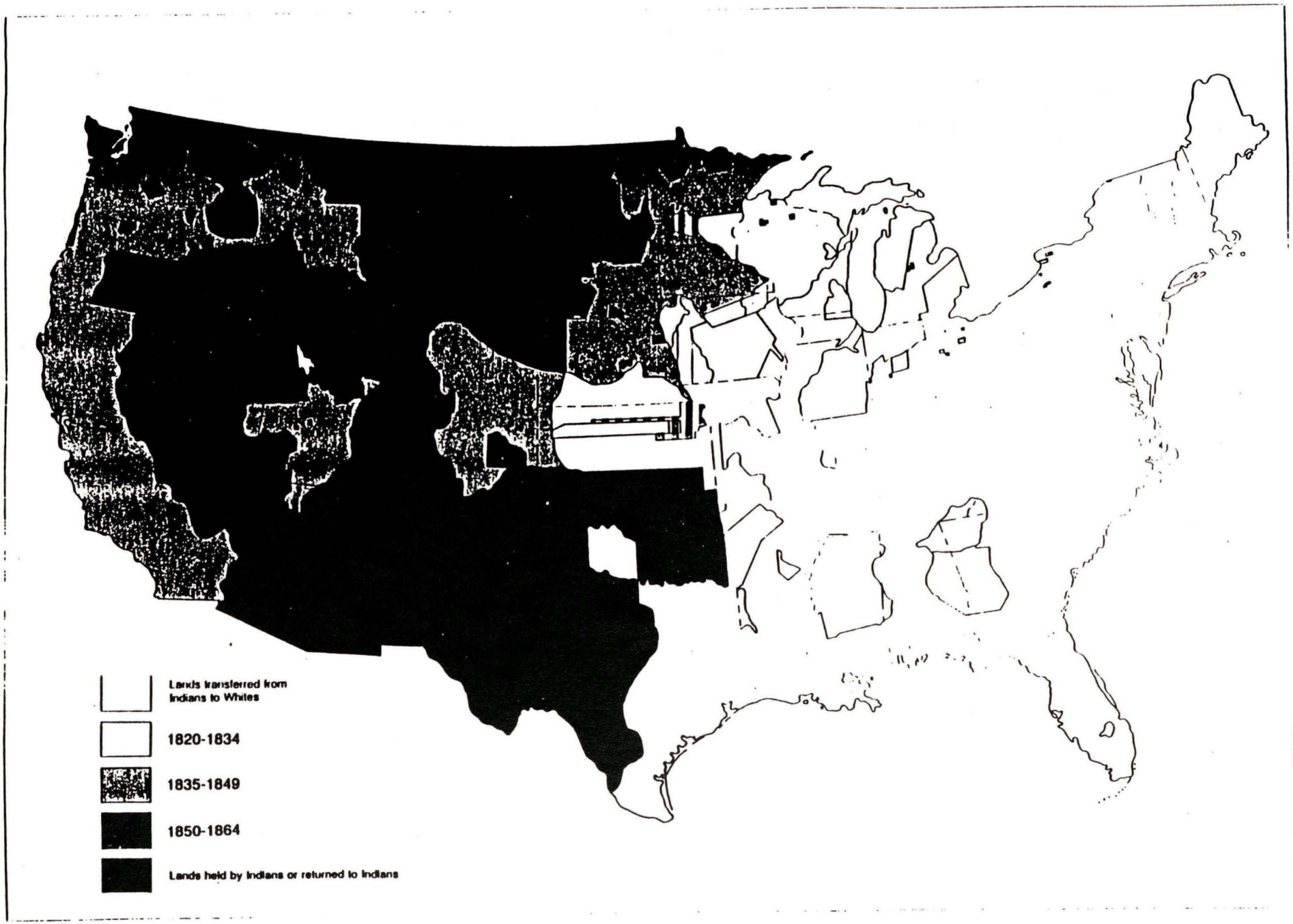


Fig. 2b. Land transfers, 1820–1864.

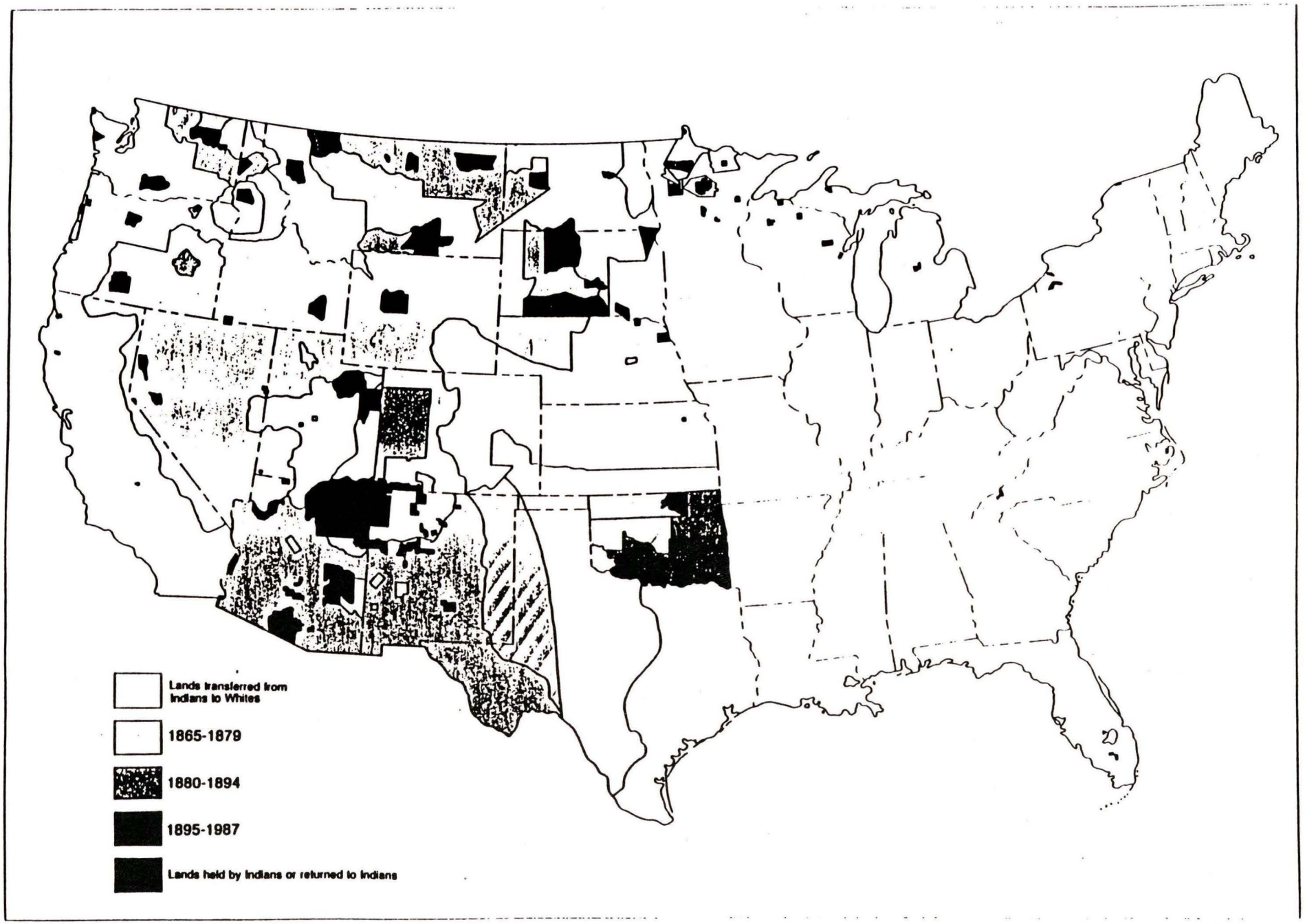


Fig. 2c. Land transfers, 1865–1987.

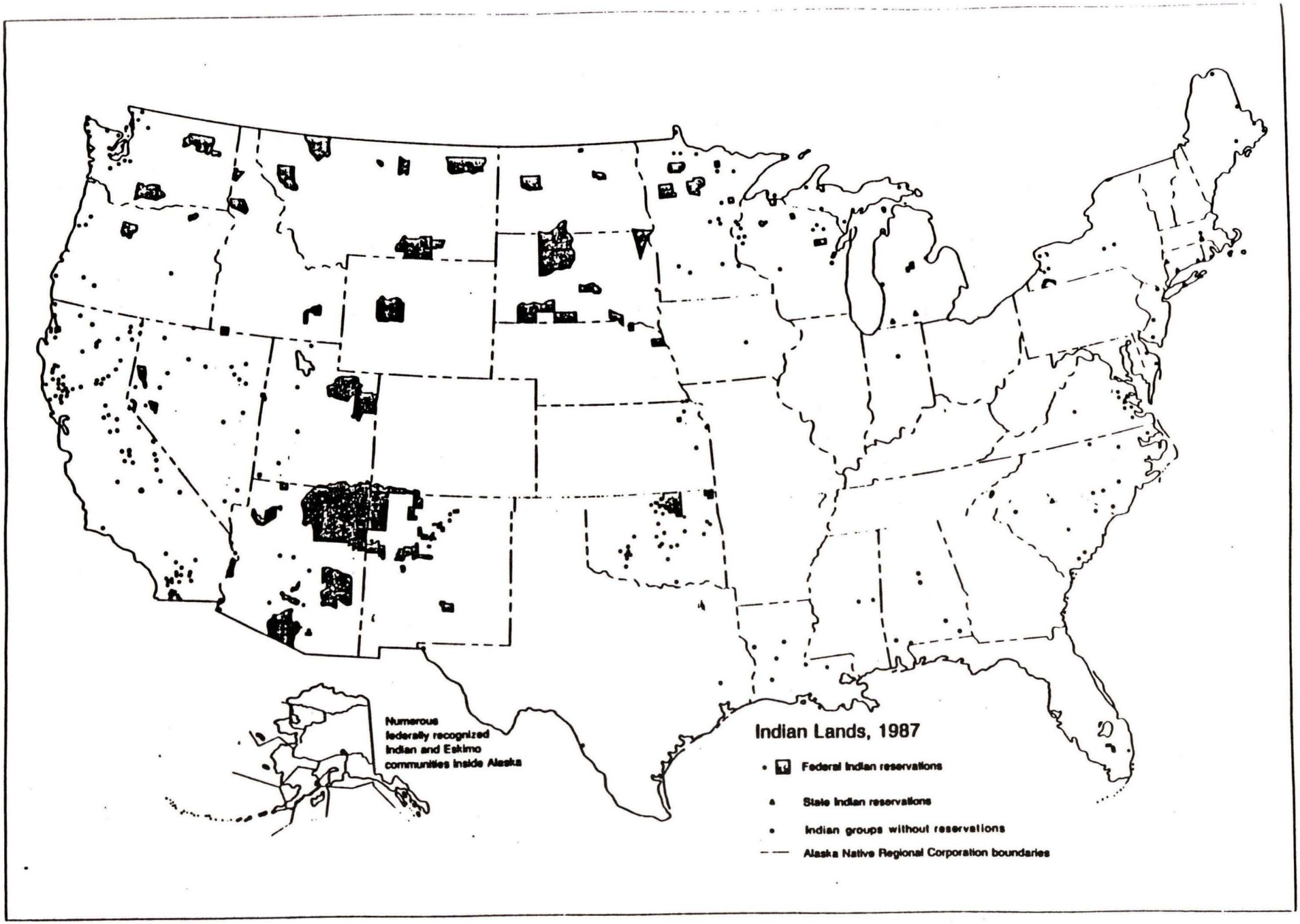
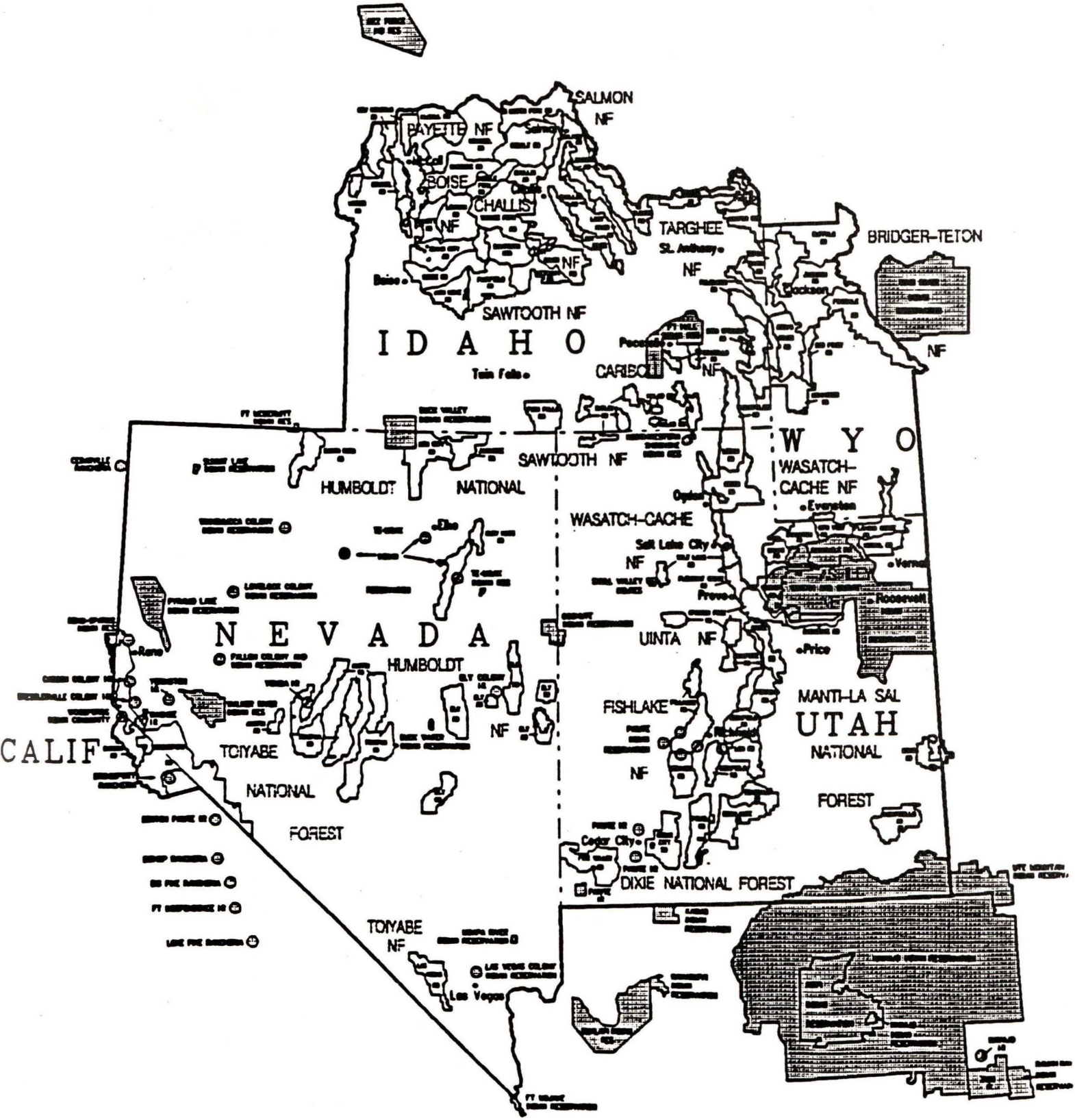


Fig. 2d. Indian lands, 1987.

APPENDIX 7

INDIAN TRIBES of the INTERMOUNTAIN REGION



TREATY WITH THE EASTERN BAND SHOSHONI AND BANNOCK, 1868.

July 3, 1868.

15 Stat., 673.
Ratified Feb. 25, 1869.
Proclaimed Feb. 24, 1869.

Articles of a treaty made and concluded at Fort Bridger, Utah Territory, on the third day of July, in the year of our Lord one thousand eight hundred and sixty-eight, by and between the undersigned commissioners on the part of the United States, and the undersigned chiefs and head-men of and representing the Shoshonee (eastern band) and Bannack tribes of Indians, they being duly authorized to act in the premises:

Peace and friendship.

ARTICLE 1. From this day forward peace between the parties to this treaty shall forever continue. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they hereby pledge their honor to maintain it.

Offenders among the whites to be arrested and punished.

If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs, at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also re-imburse the injured person for the loss sustained.

Among the Indians to be given up to the United States, etc.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent and notice by him, deliver up the wrong-doer to the United States, to be tried and punished according to the laws; and in case they wilfully refuse so to do, the person injured shall be re-imbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And

Rules for ascertaining damages.

the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating or because of his violating the provisions of this treaty or the laws of the United States, shall be reimbursed therefor.

Reservation.

ARTICLE 2. It is agreed that whenever the Bannacks desire a reservation to be set apart for their use, or whenever the President of the United States shall deem it advisable for them to be put upon a reservation, he shall cause a suitable one to be selected for them in their present country, which shall embrace reasonable portions of the "Pays Neuf" and "Kansas Prairie" countries, and that, when this reservation is declared, the United States will secure to the Bannacks the same rights and privileges therein, and make the same and like expenditures therein for their benefit, except the agency-house and residence of agent, in proportion to their numbers, as herein provided for the Shoshonee reservation. The United States further agrees that the following district of country, to wit: Commencing at the mouth of Owl Creek and running due south to the crest of the divide between the Sweetwater and Papo Agie Rivers; thence along the crest of said divide and the summit of Wind River Mountains to the longitude of North Fork of Wind River; thence due north to mouth of said North Fork and up its channel to a point twenty miles above its mouth; thence in a straight line to head-waters of Owl Creek and along middle of channel of Owl Creek to place of beginning, shall be and the same is set apart for the absolute and undisturbed use and occupation of the Shoshonee Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons except those herein designated and authorized so to do, and except such officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians, and henceforth they will and do hereby relinquish all title, claims, or rights in and to any portion of the territory of the United States, except such as is embraced within the limits aforesaid.

Boundaries.

Who not to reside thereon.

construct at a suitable point of the Shoshonee reservation a ware-house or store-room for the use of the agent in storing goods belonging to the Indians, to cost not exceeding two thousand dollars; an agency building for the residence of the agent, to cost not exceeding three thousand; a residence for the physician, to cost not more than two thousand dollars: and five other buildings, for a carpenter, farmer, blacksmith, miller, and engineer, each to cost not exceeding two thousand dollars; also a school-house or mission building so soon as a sufficient number of children can be induced by the agent to attend school, which shall not cost exceeding twenty-five hundred dollars.

Mills.

The United States agrees further to cause to be erected on said Shoshonee reservation, near the other buildings herein authorized, a good steam circular-saw mill, with a grist-mill and shingle-machine attached, the same to cost not more than eight thousand dollars.

Reservation to be permanent home of Indians.

ARTICLE 4. The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations named, they will make said reservations their permanent home, and they will make no permanent settlement elsewhere; but they shall have the right to hunt on the unoccupied lands of the United States so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts.

Agent to make his home and reside where.

ARTICLE 5. The United States agrees that the agent for said Indians shall in the future make his home at the agency building on the Shoshonee reservation, but shall direct and supervise affairs on the Bannack reservation; and shall keep an office open at all times for the purpose of prompt and diligent inquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of their treaty stipulations, as also for the faithful discharge of other duties enjoined by law. In all cases of depredation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his finding, to the Commissioner of Indian Affairs, whose decision shall be binding on the parties to this treaty.

Heads of families desiring to commence farming may select lands, etc.

ARTICLE 6. If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within the reservation of his tribe, not exceeding three hundred and twenty acres in extent, which tract so selected, certified, and recorded in the "land-book," as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Effect of such selection.

Persons not heads of families.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above described. For each tract of land so selected a certificate, containing a description thereof, and the name of the person selecting it, with a certificate indorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office subject to inspection, which said book shall be known as the "Shoshone (eastern band) and Bannack land-book."

Certificates of selection to be delivered, etc., to be recorded.

Survey.

The President may at any time order a survey of these reservations, and when so surveyed Congress shall provide for protecting the rights of the Indian settlers in these improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property as between Indians, and on all subjects connected with the government of the Indians on said reservations, and the internal police thereof, as may be thought proper.

Alienation and descent of property.

Children between 6 and 16 to attend school.

ARTICLE 7. In order to insure the civilization of the tribes entering into this treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches of an English education shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher. The provisions of this article to continue for twenty years.

Duty of agent.

Schoolhouses and teachers.

Seeds and agricultural implements.

ARTICLE 8. When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid in value twenty-five dollars per annum.

Instructions in farming.

And it is further stipulated that such persons as commence farming shall receive instructions from the farmers herein provided for, and whenever more than one hundred persons on either reservation shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be required.

Second blacksmith.

Delivery of articles in lieu of money and annuities.

ARTICLE 9. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under former and all treaties heretofore made with them, the United States agrees to deliver at the agency-house on the reservation herein provided for on the first day of September of each year, for thirty years, the following articles, to wit:

Clothing, etc.

For each male person over fourteen years of age a suit of good substantial woollen clothing, consisting of coat, hat, trousers, flannel shirt, and a pair of woollen socks; for each female over twelve years of age, a flannel skirt, or the goods necessary to make it, a pair of woollen hose, twelve yards of calico; and twelve yards of cotton domestics.

For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woollen hose for each.

Census.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimate from year to year can be based; and in addition to the clothing herein named, the sum of ten dollars shall be annually appropriated for each Indian roaming and twenty dollars for each Indian engaged in agriculture, for a period of ten years, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if at any time within the ten years it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the tribes herein named, Congress may by law change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the Army to be present and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.

May be changed.

Army officer to attest delivery of goods, etc.

Physician, teachers, carpenter, etc.

ARTICLE 10. The United States hereby agrees to furnish annually to the Indians the physician, teachers, carpenter, miller, engineer, farmer, and blacksmith, as herein contemplated, and that such appropriations shall be made from time to time, on the estimates of the Secretary of the Interior, as will be sufficient to employ such persons.

Cession of reservation not to be valid unless, etc.

ARTICLE 11. No treaty for the cession of any portion of the reservations herein described which may be held in common shall be of any force or validity as against the said Indians, unless executed and signed by at least a majority of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive without his consent, any individual member of the tribe of his right to any tract of land selected by him, as provided in Article 6 of this treaty.

Presents for most valuable crops.

ARTICLE 12. It is agreed that the sum of five hundred dollars annually, for three years from the date when they commence to cultivate a farm, shall be expended in presents to the ten persons of said tribe who, in the judgment of the agent, may grow the most valuable crops for the respective year.

ARTICLE 13. It is further agreed that until such time as the agency-buildings are established on the Shoshonee reservation, their agent shall reside at Fort Bridger, U. T., and their annuities shall be delivered to them at the same place in June of each year.

N. G. Taylor, [SEAL.]
W. T. Sherman, [SEAL.]
Lieutenant-General.
Wm. S. Harney, [SEAL.]
John B. Sanborn, [SEAL.]
S. F. Tappan, [SEAL.]
C. C. Augur, [SEAL.]
Brevet Major-General, U. S. Army, Commissioners.
Alfred H. Terry, [SEAL.]
Brigadier-General and Brevet Major-General, U. S. Army.

Attest:
A. S. H. White, Secretary.

Shoshones:

Wash-a-kie,	his x mark.
Wau-ny-pitz,	his x mark.
Toop-se-po-wot,	his x mark.
Nar-kok,	his x mark.
Taboonshe-ya,	his x mark.
Bazeel,	his x mark.
Pan-to-she-ga,	his x mark.
Ninny-Bitse,	his x mark.

Bannacks:

Taggee,	his x mark.
Tay-to-ba,	his x mark.
We-rat-ze-won-a-gen,	his x mark.
Coo-sha-gan,	his x mark.
Pon-sook-a-motse.	his x mark.
A-wite-etse,	his x mark.

Witnesses:
Henry A. Morrow,
Lieutenant-Colonel Thirty-sixth Infantry and
Brevet Colonel U. S. Army, Commanding Fort Bridger.
Luther Manpa, United States Indian agent.
W. A. Carter.
J. Van Allen Carter, interpreter.

TREATY WITH THE WESTERN SHOSHONI, 1863.

Oct. 1, 1863.
18 Stats., 689.
Ratified June 26, 1866.
Proclaimed Oct. 21, 1869.

Treaty of Peace and Friendship made at Ruby Valley, in the Territory of Nevada, this first day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by the undersigned commissioners, and the Western Bands of the Shoshonee Nation of Indians, represented by their Chiefs and Principal Men and Warriors, as follows:

ARTICLE 1.

Peace established: depredations to cease.

Peace and friendship shall be hereafter established and maintained between the Western Bands of the Shoshonee nation and the people and Government of the United States; and the said bands stipulate and agree that hostilities and all depredations upon the emigrant trains, the mail and telegraph lines, and upon the citizens of the United States within their country, shall cease.

ARTICLE 2.

Routes of travel: offenders; safety of travellers.

The several routes of travel through the Shoshonee country, now or hereafter used by white men, shall be forever free, and unobstructed by the said bands, for the use of the government of the United States, and of all emigrants and travellers under its authority and protection, without molestation or injury from them. And if depredations are at any time committed by bad men of their nation, the offenders shall be immediately taken and delivered up to the proper officers of the United States, to be punished as their offences shall deserve; and the safety of all travellers passing peaceably over either of said routes is hereby guarantied by said bands.

Military posts; stations.

Military posts may be established by the President of the United States along said routes or elsewhere in their country; and station houses may be erected and occupied at such points as may be necessary for the comfort and convenience of travellers or for mail or telegraph companies.

ARTICLE 3.

Telegraph and overland stage lines.

The telegraph and overland stage lines having been established and operated by companies under the authority of the United States through a part of the Shoshonee country, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said bands, and that their property and the lives and property of passengers in the stages and of the employes of the respective companies, shall be protected by them. And further, it being understood that provision has been made by the government of the United States for the construction of a railway from the plains west to the Pacific ocean, it is stipulated by the said bands that the said railway or its branches may be located, constructed, and operated, and without molestation from them, through any portion of country claimed or occupied by them.

Railway.

ARTICLE 4.

Explorations, mines, settlements, use of timber.

It is further agreed by the parties hereto, that the Shoshonee country may be explored and prospected for gold and silver, or other minerals; and when mines are discovered, they may be worked, and mining and agricultural settlements formed, and ranches established whenever they may be required. Mills may be erected and timber taken for their use, as also for building and other purposes in any part of the country claimed by said bands.

ARTICLE 5.

Boundaries of western bands of Shoshoni.

It is understood that the boundaries of the country claimed and occupied by said bands are defined and described by them as follows:

On the north by Wong-goga-da Mountains and Shoshonee River Valley; on the west by Su-non-to-yah Mountains or Smith Creek Mountains; on the south by Wi-co-bah and the Colorado Desert; on the east by Po-ho-no-be Valley or Steptoe Valley and Great Salt Lake Valley.

ARTICLE 6.

Reservations may be established.

The said bands agree that whenever the President of the United States shall deem it expedient for them to abandon the roaming life, which, they now lead, and become herdsmen or agriculturalists, he is hereby authorized to make such reservations for their use as he may deem necessary within the country above described; and they do also hereby agree to remove their camps to such reservations as he may indicate, and to reside and remain therein.

ARTICLE 7.

Annuity, acceptance of, as compensation for loss of game.

The United States, being aware of the inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same; therefore, and in consideration of the preceding stipulations, and of their faithful observance by the said bands, the United States promise and agree to pay to the said bands of the Shoshonee nation parties hereto, annually for the term of twenty years, the sum of five thousand dollars in such articles, including cattle for herding or other purposes, as the President of the United States shall deem suitable for their wants and condition, either as hunters or herdsmen. And the said bands hereby acknowledge the reception of the said stipulated annuities as a full compensation and equivalent for the loss of game and the rights and privileges hereby conceded.

ARTICLE 8.

Presents acknowledged.

The said bands hereby acknowledge that they have received from said commissioners provisions and clothing amounting to five thousand dollars as presents at the conclusion of this treaty.

Done at Ruby Valley the day and year above written.

James W. Nye.
James Duane Doty.

Te-moak, his x mark.
Mo-ho-a.
Kirk-weedgwa, his x mark.
To-nag, his x mark.
To-so-wee-so-op, his x mark.
Sow-er-e-gah, his x mark.
Po-on-go-eah, his x mark.
Par-a-woat-ze, his x mark.
Ga-ha-dier, his x mark.
Ko-ro-kout-ze, his x mark.
Pon-ge-mah, his x mark.
Buck, his x mark.

Witnesses:

J. B. Moore, lieutenant-colonel Third Infantry California Volunteers.
Jacob T. Lockhart, Indian agent Nevada Territory.
Henry Butterfield, interpreter.

TREATY WITH THE SHOSHONI-GOSHIP, 1863.

Oct. 12, 1863.

13 Stats., 681.
Ratified Mar. 7, 1864.
Proclaimed Jan. 17, 1865.

Treaty of peace and friendship made at Tuilla Valley, in the Territory of Utah, this twelfth day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by the undersigned commissioners, and the Shoshonee-Goship bands of Indians, represented by their chiefs, principal men, and warriors, as follows:

Peace and friendship.

ARTICLE 1. Peace and friendship is hereby established and shall be hereafter maintained between the Shoshonee-Goship bands of Indians and the citizens and Government of the United States; and the said bands stipulate and agree that hostilities and all depredations upon the emigrant trains, the mail and telegraph lines, and upon the citizens of the United States, within their country, shall cease.

Routes through their country to be free and peaceful.

ARTICLE 2. It is further stipulated by said bands that the several routes of travel through their country now or hereafter used by white men shall be forever free and unobstructed by them, for the use of the Government of the United States, and of all emigrants and travellers within it under its authority and protection, without molestation or injury from them. And if depredations are at any time committed by bad men of their own or other tribes within their country, the offenders shall be immediately taken and delivered up to the proper officers of the United States, to be punished as their offences may deserve; and the safety of all travellers passing peaceably over either of said routes is hereby guaranteed by said bands.

Surrender of offenders.

Military posts and station houses.

Military posts may be established by the President of the United States along said routes, or elsewhere in their country; and station-houses may be erected and occupied at such points as may be necessary for the comfort and convenience of travellers or for the use of the mail or telegraph companies.

Telegraph and overland stage lines.

ARTICLE 3. The telegraph and overland stage lines having been established and operated by companies under the authority of the United States through the country occupied by said bands, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said bands, and that their property, and the lives and property of passengers in the stages, and of the employees of the respective companies, shall be protected by them.

Railway and branches.

And further, it being understood that provision has been made by the Government of the United States for the construction of a railway from the plains west to the Pacific Ocean, it is stipulated by said bands that the said railway or its branches may be located, constructed, and operated, and without molestation from them, through any portion of the country claimed or occupied by them.

Mines, mills, and ranches.

ARTICLE 4. It is further agreed by the parties hereto that the country of the Goship tribe may be explored and prospected for gold and silver, or other minerals and metals; and when mines are discovered they may be worked, and mining and agricultural settlements formed and ranchos established wherever they may be required. Mills may be erected and timber taken for their use, as also for building and other purposes, in any part of said country.

Timber.

Boundaries.

ARTICLE 5. It is understood that the boundaries of the country claimed and occupied by the Goship tribe, as defined and described by said bands, are as follows: On the north by the middle of the Great Desert; on the west by Steptoe Valley; on the south by Tooedoe or Green Mountains; and on the east by Great Salt Lake, Tuilla, and Rush Valleys.

Reservations.

ARTICLE 6. The said bands agree that whenever the President of the United States shall deem it expedient for them to abandon the roaming life which they now lead, and become settled as herdsmen or agriculturists, he is hereby authorized to make such reservations for their use as he may deem necessary; and they do also agree to remove their camps to such reservations as he may indicate, and to reside and remain thereon.

Residence thereon.

Annuities.

ARTICLE 7. The United States being aware of the inconvenience resulting to the Indians, in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same. Therefore, and in consideration of the preceding stipulations, and of their faithful observance by said bands, the United States promise and agree to pay to the said Goship tribe, or to the said bands, parties hereto, at the option of the President of the United States, annually, for the term of twenty years, the sum of one thousand dollars, in such articles, including cattle for herding or other purposes, as the President shall deem suitable for their wants and condition either as hunters or herdsmen. And the said bands, for themselves and for their tribe, hereby acknowledge the reception of the said stipulated annuities as a full compensation and equivalent for the loss of game and the rights and privileges hereby conceded; and also one thousand dollars in provisions and goods at and before the signing of this treaty.

Cattle.

Receipt.

ARTICLE 8. Nothing herein contained shall be construed or taken to admit any other or greater title or interest in the lands embraced within the territories described in said treaty in said tribes or bands of Indians than existed in them upon the acquisition of said territories from Mexico by the laws thereof.

James Duane Doty, commissioner.
P. Edw. Connor,
Brigadier-General U. S. Volunteers.
Commanding District of Utah.

Tabby, his x mark.
Adaseim, his x mark.
Tintsa-pa-gin, his x mark.
Harray-nup, his x mark.

Witnesses:—
Amos Reed.
Chas. H. Hempstead,
captain and chief commissary district of Utah.
William Lee, interpreter.
Jos. A. Gebon, interpreter.

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